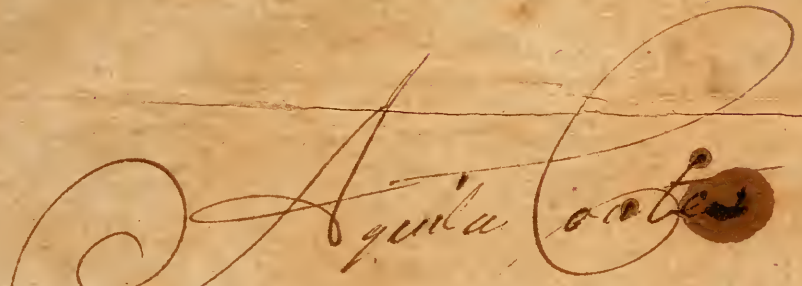
Bell, Daniel

HENRY CLAY

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1827

(Clay, Henry)

Biog

American Speeches,

OR,

SOME VALUABLE SPECIMENS OF

CONGRESSIONAL ELOQUENCE;

TOGETHER, WITH SEVERAL

PRESIDENTIAL MESSAGES,

A BIOGRAPHY OF

HENRY CLAY,

AND SOME OTHER PIECES OF INTEREST.

DANIEL S. BELL,
A MEMBER OF THE BAR.

XENIA:
PRINTED FOR THE COMPILER.
.....
1825.

PREFACE.

The publisher of the following collection of Speeches, Messages, &c., now offers them to the public, in the belief that, though he has no other merit in the work, than that of a humble compiler, he has performed no unimportant service, in rescuing them from musty files of newspapers and state records, and putting them into a shape to be of more general utility. That the pieces contain the highest specimens of eloquence on the records of our senatorial debates, he does not pretend to say:—others have selected before him. These he had to leave out. Besides, it was his object to select such pieces as, while they were characterized by a high degree of eloquence, at the same time, contained sentiments, respecting the genius and spirit of our government, important to every American to know. The book he thinks not an improper one for schools—at least for such scholars as have their minds somewhat matured—as it is of the utmost consequence that the youth of our country should be trained up in a knowledge of the nature of our invaluable constitution and government.

But he leaves it with a candid public, knowing that from their final decision upon it, there is no appeal, whatever his own views of the subject may be.

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SPEECH

OF

MR. HENRY CLAY.

Delivered in the House of Representatives, March 30th and 31st, in the year 1824, on a System for the protection of American Industry.

The gentleman from Virginia (Mr. Barbour) has embraced the occasion produced by the proposition of the gentleman of Tennessee, to strike out the minimum price, in the bill, on cotton fabrics, to express his sentiments at large on the policy of the pending measure; and it is scarcely necessary for me to say that he has evinced his usual good temper, ability, and decorum.—The parts of the bill are so intermingled and interwoven together, that there can be no doubt of the fitness of this occasion to exhibit its merits or its defects. It is my intention, with the permission of the committee, to avail myself also of this opportunity, to present to its consideration those general views, as they appear to me, of the true policy of this country, which imperiously demand the passage of this bill. I am deeply sensible, Mr. Chairman, of the high responsibility of my present situation. But that responsibility inspires me with no other apprehension than that I shall be unable to fulfil my duty; with no other solicitude than that I may, at least in some small degree, contribute to recall my country from the pursuit of a fatal policy, which appears to me inevitably to lead to its impoverishment and ruin. I do feel most awfully this responsibility. And, if it were allowable for us, at the present day, to imitate ancient examples, I would invoke the aid of the Most High. I would anxiously and fervently implore His Divine assistance; that He would be graciously pleased

to shower on my country His richest blessings; and that He would sustain, on this interesting occasion, the humble individual who stands before Him, and lend him the power, moral and physical, to perform the solemn duties which now belong to his public station.

Two classes of politicians divide the people of the United States. According to the system of one, the produce of foreign industry should be subjected to no other impost than such as may be necessary to provide a public revenue; and the produce of American industry should be left to sustain itself, if it can, with no other than that incidental protection, in its competition, at home as well as abroad, with rival foreign articles. According to the system of the other class, whilst they agree that the imposts should be mainly, and may, under any modification, be safely relied on as a fit and convenient source of public revenue, they would so adjust and arrange the duties on foreign fabrics as to afford a gradual but adequate protection to American industry, and lessen our dependence on foreign nations, by securing a certain, and, ultimately a cheaper and better supply of our own wants from our own abundant resources. Both classes are equally sincere in their respective opinions, equally honest, equally patriotic, and desirous of advancing the prosperity of the country. In the discussion and consideration of these opposite opinions, for the purpose of ascertaining which has the support of truth and reason, we should, therefore, exercise every indulgence, and the greatest spirit of mutual moderation and forbearance. And in our deliberations, on this great question, we should look fearlessly and truly at the actual condition of the country, retrace the causes which have brought us into it, and snatch, if possible, a view of the future. We should, above all, consult experience—the experience of other nations as well as our own, as our truest and most unerring guide.

In casting our eyes around us, the most prominent circumstance which fixes our attention, and challenges our deepest regret, is, the general distress which pervades the whole country. It is forced upon us by numerous

facts of the most incontestible character. It is indicated by the diminished exports of native produce; by the depressed, and reduced state of our foreign navigation; by our diminished commerce; by successive unthreshed crops of grain, perishing in our barns and barn yards for the want of a market; by the alarming diminution of the circulating medium; by the numerous bankruptcies, not limited to the trading classes, but extended to all orders of society; by an universal complaint of the want of employment, and a consequent reduction of the wages of labor; by the ravenous pursuit after public situations, not for the sake of their honors and the performance of their public duties, but as a means of private subsistence; by the reluctant resort to the perilous use of paper money; by the intervention of legislation in the delicate relation between debtor and creditor; and, above all, by the low and depressed state of the value of almost every description of the whole mass of the property of the nation, which has, on an average, sunk not less than about fifty per cent. within a few years. This distress pervades every part of the Union, every class of society; all feel it, though it may be felt, at different places, in different degrees.—It is like the atmosphere which surrounds us—all must inhale it, and none can escape it. In some places it has burst upon our people, without a single mitigating circumstance to temper its severity. In others, more fortunate, slight alleviations have been experienced in the expenditure of the public revenue, and in other favoring causes. A few years ago, the planting interest consoled itself with its happy exemption; but it has now reached this interest also, which experiences, though with less severity, the general suffering. It is most painful to me to attempt to sketch or to dwell on the gloom of this picture. But I have exaggerated nothing. Perfect fidelity to the original would have authorized me to have thrown on deeper and darker hues. And it is the duty of the statesman, no less than that of the physician, to survey with a penetrating, steady, and undismayed eye, the actual condition of the subject on which he would operate; to probe to the bottom the diseases of the body politic, if

he would apply efficacious remedies. We have not, thank God, suffered in any great degree for food. But distress, resulting from the absence of a supply of the mere physical wants of our nature, is not the only, nor, perhaps, the keenest distress, to which we may be exposed. Moral and pecuniary suffering is, if possible, more poignant. It plunges its victim into hopeless despair. It poisons, it paralyzes, the spring and source of all useful exertion. Its unsparing action is collateral as well as direct. It falls with inexorable force at the same time upon the wretched family of embarrassment and insolvency, and upon its head. They are a faithful mirror, reflecting back upon him, at once, his own frightful image, and that no less appalling of the dearest objects of his affection. What is the cause of this wide-spreading distress, of this deep depression, which we behold stamped on the public countenance? We are the same people. We have the same country. We cannot arraign the bounty of Providence. The showers still fall in the same greatful abundance. The sun still casts his genial and vivifying influence upon the land; and the land, fertile and diversified in its soils as ever, yields to the industrious cultivator, in boundless profusion, its accustomed fruits, its richest treasures. Our vigor is unimpaired. Our industry has not relaxed. If ever the accusation of wasteful extravagance could be made against our people, it cannot now be justly preferred. They, on the contrary, for the few last years at least, have been practising the most rigid economy. The causes, then, of our present affliction, whatever they may be, are human causes, and human causes not chargeable upon the people, in their private and individual relations.

What, again I would ask, is the CAUSE of the unhappy condition of our country, which I have faintly depicted? It is to be found in the fact that, during almost the whole existence of this government, we have shaped our industry, our navigation, and our commerce, in reference to an extraordinary war in Europe, and to foreign markets, which no longer exist; in the fact that we have depended too much upon foreign sources of supply, and excited too

little the native; in the fact that, whilst we have cultivated, with assiduous care, our foreign resources, we have suffered those at home to wither, in a state of neglect and abandonment. The consequence of the termination of the war of Europe, has been the resumption of European commerce, European navigation, and the extension of European agriculture and European industry, in all its branches. Europe, therefore, has no longer occasion of any thing like the same extent as that which she had during her wars, for American commerce, American navigation, the produce of American industry. Europe in commotion, and convulsed throughout all her members, is to America no longer the same Europe, as she is now tranquil, and watching with the most vigilant attention all her own peculiar interests, without regard to the operation of her policy upon us. The effect of this altered state of Europe upon us, has been to circumscribe the employment of our marine, and greatly to reduce the value of the produce of our territorial labor. The further effect of this twofold reduction has been to decrease the value of all property, whether on the land or on the ocean, and which I suppose to be about fifty per cent. And the still further effect has been to diminish the amount of our circulating medium, in a proportion not less, by its transmission abroad, or its withdrawal by the banking institutions, from a necessity which they could not control. The quantity of money, in whatever form it may be, which a nation wants, is in proportion to the total mass of its wealth, and to the activity of that wealth. A nation that has but little wealth, has but a limited want of money. In stating the fact, therefore, that the total wealth of the country has diminished, within a few years, in a ratio of about fifty per cent. we shall at once fully comprehend the inevitable reduction, which must have ensued, in the total quantity of the circulating medium of the country. A nation is most prosperous when there is a gradual and untempting addition to the aggregate of its circulating medium. It is in a condition the most adverse, when there is a rapid diminution in the quantity of the circulating medium, and a consequent depression in the value of property. In the

former case, the wealth of individuals insensibly increases, and income keeps ahead of expenditure. But in the latter instance, debts have been contracted, engagements made, and habits of expense established, in reference to the existing state of wealth and of its representative. When these come to be greatly reduced, individuals find their debts still existing, their engagements unexecuted, and their habits inveterate. They see themselves in the possession of the same property, on which, in good faith, they had bound themselves. But that property, without their fault, posseses no longer the same value; and hence discontent, impoverishment, and ruin arise. Let us suppose, Mr. Chairman, that Europe was again the theatre of such a general war as recently raged throughout all her dominions—such a state of the war as existed in her greatest exertions, and in our greatest prosperity; instantly there would arise a greedy demand for the surplus produce of our industry, for our commerce, for our navigation. The languor which now prevails in our cities, and in our seaports, would give way to an animated activity. Our roads and rivers would be crowded with the produce of the interior. Every where we should witness excited industry. The precious metals would re-flow from abroad upon us. Banks, which have maintained their credit, would revive their business; and new banks would be established, to take the place of those which have sunk beneath the general pressure. For it is a mistake to suppose that they have produced our present adversity; they may have somewhat aggravated it, but they were the effect and the evidence of our prosperity. Prices would again get up; the former value of property would be restored; and those embarrassed persons who have not been already overwhelmed by the times, would suddenly find, in the augmented value of their property, and the renewal of their business, ample means to extricate themselves from all their difficulties. The greatest want of civilized society is a market for the sale and exchange of the surplus of the produce of the labor of its members. This market may exist at home or abroad, or both, but it must exist somewhere, if society prospers; and wherever it

does exist it should be competent to the absorption of the entire surplus of production. It is most desirable that there should be both a home and a foreign market. But, with respect to their relative superiority, I cannot entertain a doubt. The home market is first in order, and paramount in importance. The object of the bill under consideration, is to create this home market, and to lay the foundations of a genuine American policy. It is opposed; and it is incumbent upon the partisans of the foreign policy (terms which I shall use without any invidious intent) to demonstrate that the foreign market is an adequate vent for the surplus produce of our labor. But is it so? 1. Foreign nations cannot, if they would, take our surplus produce. If the source of supply, no matter of what, increases in a greater ratio than the demand for that supply, a glut of the market is inevitable, even if we suppose both to remain perfectly unobstructed. The duplication of our population takes place in terms of about twenty-five years. The term will be more and more extended as our numbers multiply. But it will be a sufficient approximation to assume this ratio for the present. We increase, therefore, in population, at the rate of about four per cent. per annum. Supposing the increase of our production to be in the same ratio, we should, every succeeding year, have of surplus produce, four per cent. more than that of the preceding year, without taking into the account the differences of seasons which neutralize each other. If, therefore, we are to rely upon the foreign market exclusively, foreign consumption ought to be shown to be increasing in the same ratio of four per cent. per annum, if it be an adequate vent for our surplus produce. But, as I have supposed the measure of our increasing production to be furnished by that of our increasing population: so the measure of their power of consumption must be determined by that of the increase of their population. Now, the total foreign population, who consume our surplus produce, upon an average, do not double their aggregate number in a shorter term than that of about 100 years.—Our powers of production increase then in a ratio four times greater than their powers of consumption. And

hence their utter inability to receive from us our surplus produce.

But 2dly, If they could, they will not. The policy of all Europe, is adverse to the reception of our agricultural produce, so far as it comes into collision with its own; and under that limitation we are absolutely forbid to enter their ports, except under circumstances which deprive them of all value as a steady market. The policy of all Europe rejects those great staples of our country, which consist of objects of human subsistence. The policy of all Europe refuses to receive from us any thing but those raw materials of smaller value, essential to their manufactures, to which they can give a higher value, with the exception of tobacco and rice, which they cannot produce. Even Great Britain, to which we are its best customer, and from which we receive nearly one half in value of our whole imports, will not take from us articles of subsistence produced in our country cheaper than can be produced in Great Britain. In adopting this exclusive policy, the states of Europe do not inquire what is best for us, but what suits themselves respectively; they do not take jurisdiction of the question of our interests, but limit the object of their legislation to that of the conversion of their own peculiar interests, leaving us free to prosecute ours as we please. They do not guide themselves by that romantic philanthropy, which we see displayed here, and which invokes us to continue to purchase the produce of foreign industry, without regard to the state or prosperity of our own, that foreigners may be pleased to purchase the few remaining articles of ours which their restricted policy has not yet absolutely excluded from their consumption. What sort of a figure would a member of the British Parliament have made; what sort of a reception would his opposition have obtained, if he had remonstrated against the passage of the Corn Law, by which British consumption is limited to the bread stuffs of British production, to the entire exclusion of American, and stated that America could not and would not buy British manufacturies, if Britain did not buy American flour?

Both the inability and the policy of foreign powers,

then, forbid us to rely upon the foreign market as being an adequate vent for the surplus produce of American labor. Now, let us see if this general reasoning is not fortified and confirmed by the actual experience of this country. If the foreign market may be safely relied upon, as furnishing an adequate demand for our surplus produce, then the official documents will show a progressive increase, from year to year, in the exports of our native produce, in a proportion equal to that which I have suggested. If, on the contrary, we shall find from them, that, for a long term of past years, some of our most valuable staples have retrograded, some remained stationary, and others advanced but little, if any, in amount, with the exception of cotton, the deductions of reason and the lessons of experience will alike command us to withdraw our confidence in the competency of the foreign market. The total amount of all our exports of domestic produce for the year, beginning in 1795, and ending on the 30th September, 1796, was $40,764,087. Estimating the increase according to the ratio of the increase of our population, that is, at four per cent. per annum, the amount of the exports of the same produce in the year ending on the 30th September last, ought to have been $85,420,861. It was in fact only $47,155,408. Taking the average of five years, from 1803 to 1807, inclusive, the amount of native produce exported was $43,202,751 for each of those years. Estimating what it ought to have been, during the last year, applying the principle suggested to that amount, there should have been exported $77,766,751 instead of $47,155,408. If these comparative amounts of the aggregate actual exports and what they ought to have been, be discouraging, we shall find, on descending into particulars, still less cause of satisfaction. The export of tobacco in 1791 was 112,428 hogsheads. That was the year of the largest exportation of that article; but it is the only instance in which I have selected the maximum of exportation. The amount of what we ought to have exported last year, estimated according to the scale of increase which I have read, is 266,332 hogsheads. The actual export was 99,009 hogsheads. We exported

in 1803 the quantity of 1,311,853 barrels of flour; and ought to have exported last year 2,361,333 barrels. We, in fact, exported only 756,702 barrels. Of that quantity we sent to S. America, 150,000, according to a statement furnished me by tha diligence of a friend near me, (Mr. Poinsett,) to whose valuable mass of accurate information, in regard to that interesting quarter of the world, I have had occasion frequently to apply. But that demand is temporary, growing out of the existing state of war. Whenever peace is resorted to, and I now hope that the day is not far distant when its independence will be generally acknowledged, there cannot be a doubt that it will supply its own consumption. In all parts of it the soil, either from climate or from elevation, is well adapted to the culture of wheat; and no where can better wheat be produced than in some portions of Mexico and Chili. Still the market of South America is one which, on other accounts, deserves the greatest consideration. And I congratulate you, the committee, and the country, on the recent adoption of a more auspicious policy towards it.

We exported in 1803, Indian corn to the amount of 2,074,608 bushels. The quantity should have been, in 1823, 3,734,288 bushels. The actual quantity exported was 749,034 bushels, or about one-fifth of what it should have been, and a little more than one-third of what it was more than twenty years ago. We ought not then to be surprised at the extreme depression of the price of that article, of which I have heard my honorable friend (Mr. Bassett) complain, nor of the distress of the corn-growing districts adjacent to Chesapeake Bay. We exported, 77,934 barrels of beef in 1803, and last year but 61,418, instead of 140,274 barrels. In the same year, (1803), we exported 96,602 barrels of pork, and last year 55,529, instead of 173,882 barrels. Rice has not advanced, by any means, in the proportion to which it ought to have done. All the small articles, such as cheese, butter, candles, &c. too minute to detail, but important in their aggregate, have also materially diminished. Cotton alone has advanced. But whilst the quantity of it is augmented, its actual value is considerably diminished. The total

quantity last year exceeded that of the preceding year by near thirty millions of pounds. And yet the total value of the year of smaller exportation, exceeded that of the last year by upwards of three and a half millions of dollars. If this article, the capacity of our country to produce which, was scarcely known in 1790, were subtracted from the mass of our exports, the value of the residue would only be a little upwards of $27,000,000, during the last year. The distribution of the articles of our exports throughout the United States, cannot fail to fix the attention of the Committee. Of the $47,155 408, to which they amounted last year, three articles alone, (cotton, rice, and tobacco,) composed together $28,549,177 Now these articles are chiefly produced to the South.—And if we estimate that portion of our population who are actually engaged in their culture, it would probably not exceed two millions. This, then, less than one fifth of the whole population of the United States produced upwards of one half, nearly two-thirds, of the entire value of the exports of the last year.

Is this foreign market, so incompetent at present, and which, limited as its demands are, operates so unequally upon the productive labor of our country, likely to improve in future? If I am correct in the views which I have presented to the committee, it must become worse and worse. What can improve it? Europe will not abandon her own agriculture to foster ours. We may even anticipate that she will more and more enter into competition with us in the supply of the West India market. That of South America, for articles of subsistence, will probably soon vanish. The *value* of our exports, for the future, may remain at about what it was last year. But, if we do not create some new market; if we persevere in the existing pursuits of agriculture, the inevitable consequence must be, to augment greatly the quantity of our produce, and to lessen its value in the foreign market. Can there be a doubt on this point? Take the article of cotton, for example, which is almost the only article that now remunerates labor and capital. A certain description of labor is powerfully attracted

towards the cotton growing country. The cultivation will be greatly extended, the aggregate amount, annually produced, will be vastly augmented. The price will fall. The more unfavorable soils will then be gradually abandoned. And I have no doubt that, in a few years, it will cease to be profitably produced, any where North of the 34th degree of latitude. But, in the mean time, large numbers of the cotton growers will suffer the greatest distress. And whilst this distress is brought upon our own country, foreign industry will be stimulated by the very cause which occasions our distress. For, by surcharging the markets abroad, the price of the raw materials being reduced, the manufacturer will be able to supply cotton fabrics cheaper, and the consumption in his own country, and in foreign nations, other than ours, (where the *value* of the import must be limited to the value of the export, which I have supposed to remain the same,) being proportionally extended, there will be consequently an increased demand for the produce of *his* country.

Our agricultural is our greatest interest. It ought ever to be predominant. All others should bend to it. And, in considering what is for its advantage, we should contemplate it in all its varieties, of planting, farming, and grazing. Can we do nothing to invigorate it; nothing to correct the errors of the past, and to brighten the still more unpromising prospects which lie before us? We have seen, I think, the causes of the distresses of the country. We have seen, that an exclusive dependence upon the foreign market must lead to still severer distress, to impoverishment, to ruin. We must then change somewhat our course. We must give a new direction to some portion of our industry. We must speedily adopt a genuine American policy. Still cherishing a foreign market, let us create also a home market, to give further scope to the consumption of the produce of American industry. Let us counteract the policy of foreigners, and withdraw the support which we now give to their industry, and stimulate that of our own country. It should be a prominent object with wise legislators, to multiply the vocations and extend the business of society, as far as it can be

done, by the protection of our interests at home, against the injurious effects of foreign legislation. Suppose we were a nation of fishermen, or of skippers, to the exclusion of every other occupation, and the legislature had the power to introduce the pursuits of agriculture and manufactures, would not our happiness be promoted by an exertion of its authority? All the existing employments of society—the learned professions—commerce—agriculture, are now overflowing. We stand in each other's way. Hence, the want of employment. Hence, the eager pursuit after public stations, which I have before glanced at. I have been again and again shocked, during this session, by instances of solicitation for places, before the vacancies existed. The pulse of incumbents, who happen to be, taken ill, is not marked with more anxiety by the attending physicians, than by those who desire to succeed them, though with very opposite feelings. Our old friend, the faithful centinel, who has stood so long at our door, and the gallantry of whose patriotism deserves to be noticed, because it was displayed when that virtue was most rare and most wanted, on a memorable occasion in this unfortunate city, became indisposed some weeks ago. The first intelligence which I had of his dangerous illness, was by an application for his unvacated place. I hastened to assure myself of the extent of his danger, and was happy to find that the eagerness of succession, outstripped the progress of disease. By creating a new and extensive business, then, we should not only give employment to those who want it, and augment the sum of national wealth by all that this new business would create, but we should meliorate the condition of those who are now engaged in existing employments. In Europe, particularly in Great Britain, their large standing armies, large navies, large even on their peace arrangement, their established church, afford to their population employments which, in that respect, the happier constitution of our government, does not tolerate, but in a very limited degree. The peace establishments of our army and our navy are extremely small, and I hope ever will be. We have no established church, and I trust never shall have

In proportion as the enterprise of our citizens, in public employments, is circumscribed, should we excite and invigorate it in private pursuits.

The creation of a home market is not only necessary to procure for our agriculture a just reward of its labors, but it is indispensable to obtain a supply of our necessary wants. If we cannot sell, we cannot buy. That portion of our population, (and we have seen that it is not less than four-fifths,) which makes comparatively nothing that foreigners will buy, has nothing to make purchases with from foreigners. It is in vain that we are told of the amount of our exports, supplied by the planting interest. They may enable the planting interest to supply all its wants: but they bring no ability to the interests not planting, unless, which cannot be pretended, the planting interest was an adequate vent for the surplus produce of the labor of all other interests. It is in vain to tantalize us with the greater cheapness of foreign fabrics. There must be an ability to purchase, if an article be obtained, whatever may be the price, high or low, at which it was sold. And a cheap article is as much beyond the grasp of him who has no means to buy, as a high one. Even if it were true that the American manufacturer would supply consumption at dearer rates, it is better to have his fabrics than the unattainable foreign fabrics; for it is better to be ill supplied than not supplied at all. A coarse coat, which will communicate warmth and cover nakedness, is better than no coat. The superiority of the home market results, 1st, from its steadiness and comparative certainty at all times; 2d, from the creation of reciprocal interests; 3d, from its greater security; and, lastly, from an ultimate and not distant augmentation of consumption, and, consequently, of comfort, from increased quantity and reduced prices. But this home market, highly desirable as it is, can only be created and cherished by the *protection* of our own legislation against the inevitable prostration of our industry, which must ensue from the action of *foreign* policy and legislation. The effect and the value of this domestic care of our own interests will be obvious, from a few facts and considerations. Let us suppose that half a million of per-

sons are now employed abroad, in fabricating for our consumption those articles of which, by the operation of this bill, a supply is intended to be provided within ourselves. That half a million of persons are, in effect, subsisted by us; but their actual means of subsistence are drawn from foreign agriculture. If we could transport them to this country, and incorporate them in the mass of our own population, there would instantly arise a demand for an amount of provisions equal to that which would be requisite for their subsistence throughout the whole year. That demand, in the article of flour alone, would not be less than the quantity of about 900,000 barrels, besides a proportionate quantity of beef and pork, and other articles of subsistence. But nine hundred thousand barrels of flour exceeded the entire quantity exported last year, by nearly one hundred and fifty thousand barrels. What activity would not this give. What cheerfulness would it not communicate to our now dispirited farming interest! But if, instead of these five hundred thousand artisans emigrating from abroad, we give, by this bill, employment to an equal number of our own citizens now engaged in unprofitable agriculture, or idle, from the want of business, the beneficial effect upon the productions of our farming labor would be nearly doubled. The quantity would be diminished by a subtraction of the produce from the labor of all those who should be diverted from its pursuits to manufacturing industry, and the value of the residue would be enhanced, both by that diminution and the creation of the home market to the extent supposed. And the honorable gentleman from Virginia may repress any apprehensions which he entertains, that the plough will be abandoned, and our fields remain unsown. For, under all the modifications of social industry, if you will secure to it a just reward, the greater attractions of agriculture will give to it that proud superiority which it has always maintained. If we suppose no actual abandonment of farming, but, what is most likely, a gradual and imperceptible employment of population in the business of manufacturing, instead of being compelled to resort to agriculture, the salutary effect would be nearly the same. Is any part of

our common country likely to be injured by transfer of the theatre of fabrication for our own consumption from Europe to America? All that those parts, if any there be, which will not, or cannot, engage in manufactures, should require, is, that their consumption should be well supplied; and if the objects of that consumption are produced in other parts of the Union that can manufacture, far from having, on that account, any just cause of complaint, their patriotism will and ought to inculcate a cheerful acquiescence in what essentially contributes, *and* is indispensably *necessary*, to the prosperity of the common family.

The great desideratum in political economy is the same as in private pursuits; that is. What is the best application of the aggregate industry of a nation, that can be made honestly to produce the largest sum of national wealth? Labor is the source of all wealth, but it is not natural labor only. And the fundamental error of the gentleman from Virginia, and of the school to which he belongs, in deducing, from our sparse population, our unfitness for the introduction of the arts, consists in their not sufficiently weighing the importance of the power of machinery. In former times, when but little comparative use was made of machinery, manual labor and the price of wages were circumstances of the greatest consideration. But it is far otherwise in these latter times. Such are the improvements and the perfections in machinery, that, in analyzing the compound value of many fabrics, the element of natural labor is so inconsiderable as almost to escape detection. This truth is demonstrated by many facts. Formerly, Asia, in consequence of the density of her population, and the consequent lowness of wages, laid Europe under tribute for many of her fabrics. Now Europe reacts upon Asia, and Great Britain in particular, throws back upon her countless millions of people the rich treasures produced by artificial labor, to a vast amount, infinitely cheeper than they can be manufactured by the natural exertions of that portion of the globe. But Britain is herself the most striking illustration of the immense power of mankind. Upon what other principle can you account for the enormous weal t which she has accumulated, and which she annually pro-

duces? A statistical writer of that country, several years ago, estimated the total amount of the artificial or machine labor of the nation, to be equal to that of one hundred millions of able-bodied laborers. Subsequent estimates of her artificial labor, at the present day, carry it to the enormous height of two hundred millions. But the population of the three kingdoms is 21,500,000. Supposing that, to furnish able bodied labor to the amount of 4,000,000, the natural labor will be but two per cent. of the artificial labor; in the production of wealth she operates, therefore, by a power including the whole population, of 221,500,000; or in other words, by a power eleven times greater than the total of her natural power. If we suppose the machine labor of the United States to be equal to that of 10,000,000 of able bodied men, the United States will operate, in the creation of wealth, by a power (including all their population,) of 20,000,000. In the creation of wealth, therefore, the power of Great Britain, compared to that of the United States, is as eleven to one. That these views are not imaginary, will be, I think, evinced, by contrasting the wealth, the revenue, the power, of the two countries. Upon what other hypothesis can we explain those almost incredible exertions which Britain made during the late wars of Europe? Look at her immense subsidies! Behold her, standing unaided and alone, breasting the storm of Napoleon's colossal power, when all continental Europe owned and yielded to its irresistible sway; and, finally, contemplate her vigorous prosecution of the war, with and without allies, to its splendid termination, on the ever-memorable field of Waterloo!

The British works which the gentleman from Virginia has quoted, pourtray a state of the most wonderful prosperity, in regard to wealth and resources, that ever was before contemplated. Let us look a little into the semi-official pamphlet, written with great force, clearness, and ability, and the valuable work of Lowe, to both of which that gentleman has referred. The revenue of the United Kingdom amounted, during the latter years of the war, to seventy millions of pounds sterling; and one year it rose to the astonishing height of ninety millions sterling, equal

to 400,000,000 of dollars. This was actual revenue, made up of real contributions from the purses of the people. After the close of the war, ministers slowly and reluctantly reduced the military and naval establishments, and accommodated them to a state of peace. The pride of power, every where the same, always unwillingly surrenders any of those circumstances which display its pomp and exhibit its greatness. Cotemporaneous with this reduction, Britain was enabled to lighten some of the heaviest burthens of taxation, and particularly that most onerous of all, the *income tax*. In this lowered state, the revenue of peace, gradually rising from the momentary depression incident to a transition from war, attained in 1822, the vast amount of fifty-five millions sterling, upwards of two hundred and forty millions of dollars, and more than eleven times that of the U. States for the same year; thus indicating the difference, which I have suggested, in the respective productive powers of the two countries. The excise alone collected under twenty-five different heads amounted to twenty-eight millions, more than one half of the total revenue of the kingdom. This great revenue allows Great Britain to constitute an efficient sinking fund of five millions sterling, being an excess of actual income beyond expenditure, and amounting to more than the entire revenue of the United States.

If we look at the commerce of England, we shall perceive that its prosperous condition no less denotes the immensity of her riches. The average of three years' exports, ending in 1789, was between thirteen and fourteen millions. The average for the same term, ending in 1822, was forty millions sterling. The average of the imports for three years ending in 1789, was seventeen millions. The average for the same term, ending in 1822, was thirty-six millions, showing a favorable balance of four millions. Thus, in a period not longer than that which has elapsed since the establishment of our constitution, have the exports of that kingdom been tripled; and this has mainly been the effect of the power of machinery. The total amount of the commerce of Great Britain is greater since the peace, by one-fourth, than it

was during the war. The average of her tonnage, during the most flourishing period of the war, was two millions four hundred thousand tons. Its average, during the three years, 1819, 1820, and 1821, was 2,600,000; exhibiting an increase of 200,000 tons. If we glance at some of the more prominent articles of her manufactures, we shall be assisted in comprehending the true nature of the sources of her riches The amount of cotton fabrics exported, in the most prosperous year of the war, was eighteen millions sterling. In the year, 1820, it was 16,600,000; in 1821, it was 20,150,000; in 1822, 21,639,000 pounds sterling; presenting the astonishing increase in two years of upwards of five millions. The total amount of imports in Great Britain from all foreign parts, of the article of cotton wool, is five millions sterling. After supplying, most abundantly, the consumption of cotton fabrics within the country (and a people better fed, and clad, and housed, are not to be found under the sun than the British nation) by means of her industry, she gives to this cotton wool a new value, which enables her to sell to foreign nations to the amount of 21,639,000 pounds, making a clear profit of upwards of 16,500,000 pounds sterling! In 1821, the value of the export of woollen manufactures was 4,300,000 pounds. In 1822, it was 5,500,000. The success of her restrictive policy is strikingly illustrated in the article of silk. In the manufacture of that article she labors under great disadvantages besides that of not producing the raw material. She has subdued them all, and the increase of the manufacture has been most rapid. Although she is still unable to maintain, in foreign countries, a successful competion with the silks of France, of India, and of Italy, and, therefore, exports but little, she gives to the two millions of the raw material which she imports, in various forms, a value of ten millions, which chiefly enter into British consumption. Let us suppose that she was dependent upon foreign nations for these ten millions, what an injurious effect would it not have upon her commercial relations with them! The average of the exports of British manufactures during the peace, exceeds the average of the most productive years

of the war. The amount of her wealth annually produced is three hundred and fifty millions sterling, bearing a large proportion to all of her pre-existing wealth. The agricultural portion of it is said by the gentleman from Virginia to be greater than that created by any other branch of her industry. But that flows mainly from a policy similar to that proposed by this bill. One third only of her population is engaged in agriculture; the other two-thirds furnishing a market for the produce of that third. Withdraw this market, and what becomes of her agriculture? The power and the wealth of Great-Britain cannot be more strikingly illustrated than by a comparison of her population and revenue with those of other countries and with our own. [Here Mr. Clay exhibited the following table, made out from authentic materials.]

	Population.	Taxes & public burthens.	Taxation per capita.
Russia in Europe,	37,000,000	£18,000,000	£0 9 9
France, including Corsica,	30,700,000	£37,000,000	£1 4 0
G. Britain, exclusive of Ireland (the taxes computed according to the value of money on the Euro. Continent.)	14,500,000	£40,000,000	£2 15 0
Great Britain and Ireland collectively,	21,500,000	£44,000,000	£2 0 0
England alone,	11,600,000	£36,000,000	£3 2 0
Spain,	11,000,000	£6,000,000	£0 11 9
Ireland,	7,000,000	£4,000,000	£0 11 0
The U. States of America,	10,000,000	£4,500,000	£0 9 0

From this exhibit, we must remark, that the wealth of Great Britain (and, consequently, her power) is greater than that of any of the other nations with which it is compared. The amount of the contributions which she draws from the pockets of her subjects is not referred to for imitation, but as indictative of their wealth. The burthen of taxation is always relative to the ability of the subjects of it. A poor nation can pay but little. And the heavier taxes of British subjects, for example, in consequence of their greater wealth, may be easier borne than the much lighter taxes of Spanish subjects, in consequence of their extreme poverty. The object of wise governments should be, by sound legislation so to protect the industry of their

own citizens against the policy of foreign powers as to give to it the most expansive force in the production of wealth. Great Britain has ever acted, and still acts, on this policy. She has pushed her protection of British interest further than any other nation has fostered its industry. The result is, greater wealth among her subjects, and, consequently, great ability to pay their public burthens. If their taxation is estimated by their *natural* labor alone, nominally it is greater than the taxation of the subjects of any other power. But if, on a scale of their natural and artificial labor compounded, it is less than the taxation of any other people. Estimating it on that scale and assuming the aggregate of the natural and artificial labor of the United Kingdom to be what I have already stated, 221,500,000 the actual taxes paid by a British subject are only about three and seven-pence sterling. Estimating our own taxes on a similar scale,—that is, supposing both descriptions of labor to be equal to that of 20,000,000 of able bodied persons,—the amount of tax paid by each soul in the United States is 4s. 6d. sterling.

The Committee will observe, from that table, that the measure of the wealth of a nation is indicated by the measure of its protection of its industry; and that the measure of the poverty of a nation is marked by that of the degree in which it neglects and abandons the care of its own industry, leaving it exposed to the action of foreign powers. Great Britain protects most her industry, and the wealth of Great Britain is consequently the greatest. France is next in the degree of protection, and France is next in the order of wealth. Spain most neglects the duty of protecting the industry of her subjects, and Spain is one of the poorest of European nations. Unfortunate Ireland, disinherited, or rendered in her industry subservient to England, is exactly in the same state of poverty with Spain, measured by the rule of taxation. And the United States are still poorer than either.

The views of British prosperity, which I have endeavoured to present, show that her protecting policy is adapted alike to a state of war and of peace. Self-poised, resting upon her own internal resources, possessing a

home market, carefully cherished and guarded, she is ever prepared for any emergency. We have seen her coming out of a war of incalculable exertion, and of great duration, with her power unbroken, her means undiminished. We have seen, that almost every revolving year of peace has brought along with it an increase of her manufactures, of her commerce, and, consequently, of her navigation. We have seen that, constructing her prosperity upon the solid foundation of her own protecting policy, it is unaffected by the vicissitudes of other states. What is our own condition? Depending upon the state of foreign powers—confiding exclusively in a foreign, to the culpable neglect of a domestic, policy—our interests are affected by all their movements. Their wars, their misfortunes, are the only source of our prosperity. In their peace, and our peace, we behold our condition the reverse of that of Great Britain—and all our interests, stationary or declining. Peace brings to us none of the blessings of peace. Our system is anomalous; alike unfitted to general tranquility, and to a state of war or peace, on the part of our own country. It can succeed only in the rare occurrence of a general state of war throughout Europe. I am no eulogist of England. I am far from recommending her systems of taxation. I have adverted to them only as manifesting her extraordinary ability.—The political and foreign interests of that nation ma have been, as I believe them to have been, often badly managed. Had she abstained from the wars into which she has been plunged by her ambition, or the mistaken policy of her ministers, the prosperity of England would unquestionably, have been much greater. But it may happen that the public liberty, and the foreign relations of a nation, have been badly provided for, and yet that its political economy has been wisely managed. The alacrity or sullenness with which a people pay taxes, depends upon their wealth or poverty. If the system of their rulers leads to their impoverishment, they can contribute but little to the necessities of the state;—if to their wealth, they cheerfully and promptly pay the burthens imposed on them. Enormous as British taxation

appears to be, in comparison with that of other naitons, but really lighter, as it in fact is, when we consider its great wealth, and its powers of production, that vast amount is collected with the most astonishing regularity. [Here Mr. Clay read certain passages from Holt, showing that, in 1822, there was not a solitary prosecution arising out of the collection of the assessed taxes, which are there considered among the most burthensome, and that the prosecutions for violations of the excise law, in all its numerous branches, were sensibly and progressiveyl decreasing.]

Having called the attention of the Committee to the present adverse state of our country, and endeavored to point out the causes which have led to it; having shown that similar causes, wherever they exist in other countries, lead to the same adversity in their condition; and having shown that, wherever we find opposite causes prevailing, a high and animating state of national prosperity exists, the Committee will agree with me in thinking that it is the solemn duty of government to apply a remedy to the evils which afflict our country, if it can apply one. Is there no remedy within the reach of the government?—Are we doomed to behold our industry languish and decay, yet more and more? But there is a remedy, and that remedy consists in modifying our foreign policy, and in adopting a genuine AMERICAN SYSTEM We must naturalize the arts in our country; and we must naturalize them by the only means which the wisdom of nations has yet discovered to be effectual; by adequate protection, against the otherwise overwhelming influence of foreigners. This is only to be accomplished by the establishment of a tariff; to the consideration of which I am now brought.

And what is this tariff? It seems to have been regarded as a sort of monster, huge and deformed—a wild beast endowed with tremendous powers of destruction, about to be let loose among our people—if not to devour them, at least to consume their substance. But let us calm our passions, and deliberately survey this alarming, this terrific being. The sole object of the tariff is to tax the

produce of foreign industry, with the view of promoting American industry. The tax is exclusively levelled at foreign industry. That is the avowed and the direct purpose of the tariff. If it subjects any part of American industry to burthens, that is an effect not intended, but altogether incidental, and perfectly voluntary.

It has been treated as an imposition of burthens upon one part of the community by design, for the benefit of another, as if, in fact, money were taken from the pockets of one portion of the people and put into the pockets of another. But, is that a fair representation of it? No man pays the duty assessed on the foreign article by compulsion, but voluntarily; and this voluntary duty, if paid, goes into the common exchequer, for the common benefit of all. Consumption has four objects of choice. 1. It may abstain from the use of the foreign article, and thus avoid the payment of the tax. 2. It may employ the rival American fabric. 3. It may engage in the business of manufacturing, which this bill is designed to foster. 4. Or it may supply itself from the household manufactures. But it is said, by the honorable gentleman from Virginia, that the South, owing to the character of a certain portion of its population, cannot engage in the business of manufacturing. Now I do not agree in that opinion, to the extent in which it is asserted. The circumstance alluded to may disqualify the South from engaging, in every branch of manufacture, as largely as other quarters of the Union, but to some branches of it, that part of our population is well adapted. It indisputably affords great facility in the household or domestic line. But, if the gentleman's premises were true, could his conclusion be admitted? According to him, a certain part of our population, happily much the smallest, is peculiarly situated. The circumstance of its degradation unfits it for the manufacturing arts. The well being of the other, and the larger part of our population, requires the introduction of those arts. What is to be done in this conflict? The gentleman would have us abstain from adopting a policy called for by the interest of the greater and freer part of our population. But is that reasonable?

Can it be expected that the interests of the greater part should be made to bend to the condition of the servile part of our population? That, in effect, would be to make us the slaves of slaves. I went, with great pleasure, along with my southern friends, and I am ready again to unite with them in protesting against the exercise of any legislative power, on the part of congress, over that delicate subject, because it was my solemn conviction, that congress was interdicted, or at least not authorized, by the constitution, to exercise any such legislative power. And I am sure that the patriotism of the South may be exclusively relied upon to reject a policy which should be dictated by considerations altogether connected with that degraded class, to the prejudice of the residue of our population. But does not a perseverance in the foreign policy, as it now exists, in fact make all parts of the Union, not planting, tributary to the planting parts? What is the argument? It is, that we must continue freely to receive the produce of foreign industry, without regard to the protection of American industry, that a market may be retained for the sale abroad of the produce of the planting portion of the country; and that if we lessen the consumption, in all parts of America, those which are not planting, as well as the planting sections, of foreign manufactures, we diminish to that extent the foreign market, for the planting produce. The existing state of things, indeed, presents a sort of tacit compact between the cotton grower and the British manufacturer, the stipulations, of which are, on the part of the cotton grower, that the whole of the United States, the other portion as well as the cotton growing, shall remain open and unrestricted in the consumption of British manufactures; and, on the part of the British manufacturer that, in consideration thereof, he will continue to purchase the cotton of the South. Thus, then, we perceive that the proposed measure, instead of sacrificing the South to the other parts of the Union, seeks only to preserve them from being absolutely sacrificed under the operation of the tacit compact which I have described. Supposing the South to be actually incompetent, or disinclined to embark at all in

the business of manufacturing, is not its interest, nevertheless, likely to be promoted by creating a new and an American source of supply for its consumption? Now foreign powers, and Great Britain principally, have the monopoly of the supply of southern consumption. If this bill should pass, an American competitor in the supply of the south would be raised up, and ultimately I cannot doubt that it will be supplied cheaper and better. I have before had occasion to state, and will now again mention, the beneficial effects of American competition with Europe in furnishing a supply of the article of cotton bagging. After the late war, the influx of the Scottish manufacture prostrated the American establishment. The consequence was that the Scotch possessed the monopoly of the supply; and the price of it rose, and attained, the year before the last, a height which amounted to more than an equivalent for ten years protection to the American manufacture. This circumstance tempted American industry again to engage in the business, & several valuable manufactories have been established in Kentucky. They have reduced the price of the fabric very considerably; but without the protection of government they may be again prostrated; and then the Scottish manufacturer engrossing the supply of our consumption, the price will probably again rise. It has been tauntingly asked if Kentucky cannot maintain herself in a competition with the two Scottish towns of Inverness and Dundee? But is that a fair statement of the case? Those two towns are cherished and sustained by the whole protecting policy of the British empire, whilst Kentucky cannot, and the general government will not, extend a like protection to the few Kentucky villages in which the article is made.

If the cotton growing consumption could be constitutionally exempted from the operation of this bill, it might be fair to exempt it upon the condition that foreign manufactures, the proceeds of the sale of cotton abroad, should not enter at all into the consumption of the other parts of the United States. But such an arrrangement as that, if it could be made, would probably be objected to by the cotton growing country itself.

2. The second objection to the proposed bill is, that it will diminish the amount of our exports. It can have no effect upon our exports, except those which are sent to Europe. Except tobacco and rice, we send there nothing but the raw materials. The argument is, that Europe will not buy of us, if we do not buy of her. The first objection to it is, that it calls upon us to look to the question, and to take care of European ability in legislating for American interests. Now, if in legislating for their interests, they would consider and provide for our ability, the principle of reciprocity would enjoin us so to regulate our intercourse with them, as to leave their ability unimpaired. But I have shown that, in the adoption of their own policy, their inquiry is strictly limited to a consideration of their peculiar interests, without any regard to that of ours. The next remark I would make is, that the bill only operates upon *certain* articles of European industry, which it is supposed our interest requires us to manufacture within ourselves; and although its effect will be to diminish the amount of our imports of *those* articles, it leaves them free to supply us with any other produce of their industry. And since the circle of human comforts, refinements, and luxuries, is of great extent, Europe will find herself able to purchase from us what she has hitherto done, and to discharge the debt in some of those objects. If there be any diminution in our exports to Europe, it will probably be in the the article of cotton to Great Britain. I have stated that Britain buys cotton wool to the amount of about five millions sterling, and sells to foreign states to the amount of upwards of twenty-one millions and a half. Of this sum, we take a little upwards of a million and a half. The residue of about twenty millions, she must sell to other foreign powers than the United States. Now their market will continue open to her, as much after the passage of this bill, as before. She will therefore require from us the raw material to supply their consumption. But, it is said she may refuse to purchase it of us, and seek a supply elsewhere. There can be but little doubt that she now resorts to us, because we can supply her cheaper and better than any other country. And it would be unrea-

sonable to suppose that she would cease, from any pique towards us, to pursue her own interest. Suppose she was to decline purchasing from us: The consequence would be, that she would lose the market for the twenty millions sterling, which she now sells other foreign powers, or enter it under a disadvantageous competion with us, or with other nations, who should obtain their supplies of the raw material from us. If there should be any diminution, therefore, in the exportation of cotton, it would only be in the proportion of about one and a half to twenty, that is a little upwards of five per cent.; the loss of a market for which, abroad, would be fully compensated by the market for the article created at home. Lastly, I would observe, that the new application of our industry, producing new objects of exportation, and they possessing much greater value than in the raw state, we should be in the end amply indemnified, by their exportation. Already the item in our foreign exports of manufactures is considerable; and we know that our cotton fabrics have been recently exported in a large amount to South-America, where they maintain a successful competition with those of any other country.

3. The third objection to the tariff is, that it will diminish our navigation. This great interest deserves every encouragement, consistent with the paramount interest of agriculture. In the order of nature it is secondary to both agriculture and manufactures. Its business is the transportation of the production of those two superior branches of industry. It cannot therefore be expected, that they shall be moulded or sacrificed to suit its purposes; but, on the contrary, navigation must accommodate itself to the actual state of agriculture and manufactures. If, as I believe, we have nearly reached the maximum in value of our exports of raw produce to Europe, the effect hereafter will be, as it respects that branch of our trade, if we persevere in the foreign system, to retain our navigation at the point which it has now reached. By reducing, indeed, as will probably take place, the price of our raw materials, a further quantity of them could be exported, and, of course, additional employment might, in that way, be

given to our tonnage; but that would be at the expense of the agricultural interest. If I am right in supposing that no effect will be produced by this measure upon any other branch of our export trade, but that to Europe; that, with regard to that, there will be no sensible diminution of our exports; and that the new direction given to a portion of our industry will produce other objects of exportation, the probability is, that our foreign tonnage will be even increased under the operation of this bill. But, if I am mistaken in these views, and it should experience any reduction, the increase in our coasting tonnage, resulting from the greater activity of domestic exchanges, will more than compensate the injury. Although our navigation partakes in the general distress of the country, it is less depressed than any other of our great interests. The foreign tonnage has been gradually, though slowly, increasing, since 1818. And our coasting tonnage, since 1816, has increased upwards of one hundred thousand tons.

4. It is next contended that the effect of the measure will be to diminish our foreign commerce. The objection assumes, what I have endeavored to controvert, that there will be a reduction in the value of our exports. Commerce is an exchange of commodities. Whatever will tend to augment the wealth of a nation must increase its capacity to make these exchanges. By new productions, or creating new values in the fabricated forms which shall be given to old objects of our industry, we shall give to commerce a fresh spring, a new aliment. The foreign commerce of the country, from causes, some of which I have endeavored to point out, has been extended as far as it can be. And I think there can be but little doubt that the balance of trade is, and for some time past has been, against us. I was surprised to hear the learned gentleman from Massachusetts, (Mr. Webster,) rejecting, as a detected and exploded fallacy, the idea of a balance of trade. I have not time nor inclination now to discuss that topic. But I will observe, that all nations act upon the supposition of the reality of its existence, and seek to avoid a trade, the balance of which is unfavorable, and to foster that which presents a favorable balance. However

the account be made up, whatever may be the items of a trade, commodities, fishing industry, marine labor, the carrying trade, all of which I admit should be comprehended, there can be no doubt. I think, that the totality of the exchanges of all descriptions made by one nation with another, or against the totality of the exchanges of all other nations together, may be such as to present the state of an unfavorable balance with the one or with all. It is true that, in the long run, the measures of these exchanges, that is, the totality in value of what is given and of what is received, must be equal to each other. But great distress may be felt long before the counterpoise can be effected. In the mean time, there will be an export of the precious metals, to the deep injury of internal trade, an unfavorable state of exchange, an export of public securities, a resort to credit, debt, mortgages. Most of, if not all, these circumstances, are believed now to be indicated by our country, in its foreign commercial relations. What have we received, for example, for the public stocks sent to England? Goods. But those stocks are our bond, which must be paid. Although the solidity of the credit of the English public securities is not surpassed by that of our own, strong as it justly is, when have we seen English stocks sold in our market, and regularly quoted in the prices current, as American stocks are in England? An unfavorable balance with one nation, *may* be made up by a favourable balance with other nations; but the fact of the existance of that unfavorable balance is strong presumptive evidence against the trade. Commerce will regulate itself! Yes, and the extravagance of a spendthrift heir, who squanders the rich patrimony which has descended to him, will regulate itself ultimately. But it will be a regulation which will exhibit him in the end safely confined within the wall of a jail. Commerce will regulate itself! But is it not the duty of wise governments to watch its course, and, beforehand, to provide against even distant evils; by prudent legislation, stimulating the industry of their own people, and checking the policy of foreign powers as it operates on them? The supply, then, of the subjects of foreign commerce, no less than the supply of

consumption at home, requires of us to give a portion of our labor such a direction as will enable us to produce them. That is the object of the measure under consideration, and I cannot doubt that, if adopted, it will accomplish its object.

5. The fifth objection to the tariff, is, that it will diminish the public revenue, disable us from paying the public debt, and finally compel a resort to a system of excise and internal taxation.

This objection is founded upon the supposition that the reduction in the importation of the subjects, on which the increased duties are to operate, will be such as to produce the alleged effect. All this is matter of mere conjecture, and can only be determined by experiment. I have very little doubt with my colleague, (Mr. Trimble,) that the revenue will be increased considerably, for some years at least, under the operation of this bill. The diminution in the quantity imported will be compensated by the augmentation of the duty. In reference to the article of molasses, for example, if the import of it should be reduced fifty per cent. the amount of duty collected would be the same as it now is. But it will not, in all probability, be reduced by any thing like that proportion And then there are some other articles which will continue to be introduced in as large quantities as ever, notwithstanding the increase of duty, the object in reference to them being revenue and not the encouragement of domestic manufactures Another cause will render the revenue of this year, in particular, much more productive than it otherwise would have been; and that is, that large quantities of goods have been introduced into the country, in anticipation of the adoption of this measure. The eagle does not dart a keener gaze upon his intended prey, than that with which the British manufacturer and merchant watches the foreign market, and the course even of our elections as well as our legislation. The passage of this bill has been expected; and all our imformation is that the importations, during this spring, have been immense. But, further, the measure of our importations is that of our exportations. If I am right in supposing,

that, in future, the amount of these in the old or new forms of the produce of our labor will not be diminished, but probably increased, then the amount of our importations, and consequently, of our revenue, will not be reduced, but may be extended. If these ideas be correct, there will be no inability on the part of government to extinguish the public debt. The payment of that debt, and the consequent liberation of the public resources from the charge of it, is extremely desirable. No one is more anxious than I am to see that important object accomplished. But I entirely concur with the gentleman from Virginia, (Mr. Barbour,) in thinking that no material sacrifice of any of the great interests of the nation ought to be made to effectuate it. Such is the elastic and accumulating nature of our public resources, from the silent augmentation of our population, that, if in any given state of the public revenue, we throw ourselves upon a couch and go to sleep, we may, after a short time, awake with an ability abundantly increased to redeem any reasonable amount of public debt with which we may happen to be burthened. The public debt of the United States, though nominally larger now than it was in the year 1791, bears really no sort of discouraging comparison to its amount at that time, whatever standard we may choose to adopt to institute the comparison. It was in 1791 about seventy-five millions of dollars. It is now about ninety. Then we had a population of about four millions. Now we have upwards of ten millions.—Then we had a revenue short of five millions of dollars. Now our revenue exceeds twenty. If we select population as the standard, our present population is one hundred and fifty per cent. greater than it was in 1791; if revenue, that is four times more now than at the former period; whilst the public debt has increased only in a ratio of twenty per cent. A public debt of three hundred millions of dollars, at the present day, considering our actual ability, compounded both of the increase of population and of revenue, would not be more onerous now than the debt of seventy-five millions, of dollars was, at the epoch of 1791, in reference to the same circumstances. If I

am right in supposing, that, under the operation of the proposed measure, there will not be any diminution, but a probable increase of the public revenue, there will be no difficulty in defraying the current expenses of government, and paying the principal, as well as the interest, of the public debt, as it becomes due. Let us, for a moment, however, indulge the improbable supposition of the opponents of the tariff, that there will be a reduction of the revenue to the extent of the most extravagant calculation which has been made, that is to say, to the extent of five millions. That sum deducted, we shall still have remaining a revenue of about fifteen millions. The treasury estimates of the current service of the years 1822, 1823, & 1824, exceeds, each year, nine millions. The lapse of revolutionary pensions, and judicious retrenchments which might be made, without detriment to any of the essential establishments of the country, would probably reduce them below nine millions. Let us assume that sum, to which add about five millions and a half for the interest of the public debt, and the wants of government would require a revenue of fourteen and a half millions, leaving a surplus of revenue of half a million beyond the public expenditure. Thus, by a postponement of the payment of the principal of the public debt, in which the public creditors would gladly acquiesce, and confiding for the means of redeeming it in the necessary increase of our revenue from the natural augmentation of our population and consumption, we may safely adopt the proposed measure, even if it should be attended (which is confidently denied) with the supposed diminution of revenue. We shall not then have occasion to vary the existing system of taxation; we shall be under no necessity to resort either to direct taxes or to an excise. But, suppose the alternative were really forced upon us of continuing the foreign system, with its inevitable impoverishment of the country, but with the advantage of the present mode of collecting the taxes, or of adopting the American system, with its increase of the national wealth, but with the disadvantage of an excise, could any one hesitate between them? Customs and an excise agree in the essential particulars, that they

are both taxes upon consumption, and both are voluntary. They differ only in the mode of collection. The office for the collection of one is located on the frontier, and that for the other within the interior. I believe it was Mr Jefferson, who in reply to the boast of a citizen of New York of the amount of the public revenue paid by that city, asked who would pay it if the collector's office were removed to Paulus-Hook, on the New-Jersey shore. National wealth is the source of all taxation. And, my word for it, the people are too intelligent to be deceived by mere names, and not to give a decided preference to that system which is based upon their wealth and prosperity, rather than to that which is founded upon their impoverishment and ruin.

6. But, according to the opponents of the domestic policy the proposed system will force capital and labor into new and reluctant employments; we are not prepared, in consequence of the high price of wages, for the successful establishment of manufactures, and we must fail in the experiment. We have seen, that the existing occupations of our society, those of agriculture, commerce, navigation and the learned professions, are overflowing with competitors, and that the want of employment is severely felt. Now what does this bill propose? To open a new and extensive field of business, in which all that choose may enter. There is no compulsion upon any one to engage in it. An option only is given to industry, to continue in the present unprofitable pursuits, or to embark in a new and promising one. The effect will be to lessen the competition in the old branches of business, and to multiply our resources for increasing our comforts, and augmenting the national wealth. The alleged fact of the high price of wages is not admitted. The truth is, that no class of society suffers more, in the present stagnation of business, than the labouring class. That is a necessary effect of the depression of agriculture, the principal business of the community. The wages of able-bodied men vary from five to eight dollars per month; and such has been the want of employment, in some parts of the Union, that instances have not been unfrequent, of men working

nerely for the means of present subsistence. If the wages or labor here and in England are compared, they will be found not to be essentially different. I agree with the honorable gentleman from Virginia, that high wages are a proof of national prosperity; we differ only in the means by which that desirable end shall be attained. But, if the fact were true, that the wages of labour are high, I deny the correctness of the argument founded upon it. The argument assumes that natural labour is the principal element in the business of manufacture. That was the ancient theory. But the valuable inventions & vast improvements in machinery, which have been made within a few past years, have produced a new era in the arts. The effect of this change, in the powers of production, may be estimated from what I have already stated, in relation to England, and to the triumphs of European artificial labour over the natural labor of Asia. In considering the fitness of a nation for the establishment of manufactures, we must no longer limit our views to the state of its population, and the price of wages. All circumstances must be regarded, of which that is, perhaps, the least important. Capital, ingenuity in the construction, and adroitness in the use of machinery, and the possession of the raw materials, are those which deserve the greatest consideration. All these circumstances, (except that of capital, of which there is no deficiency,) exist in our country in an eminent degree, and more than counterbalance the disadvantage, if it really existed, of the lower wages of labour in Great-Britain. The dependence upon foreign nations for the raw material of any great manufacture, has been ever considered as a discouraging fact. The state of our population is peculiarly favourable to the most extensive introduction of machinery. We have no prejudices to combat no persons to drive out of employment. The pamphlet, to which we have had occasion so often to refer, in enumerating the causes which have brought in England their manufactures to such a state of perfection, and which now enable them, in the opinion of the writer, to defy all competition, does not specify, as one of them, low wages. It assigns three; 1st, capital; 2dly, extent and costliness of machinery; and,

merely for the means of present subsistence. If the wages for labour here and in England are compared, they will be found not to be essentially different. I agree with the dissuaded from making the experiment, and our ultimate failure is confidently predicted. Why should we fail? Nations, like men, fail in nothing which they boldly attempt, when sustained by virtuous purpose, and firm resolution. I am not willing to admit this depreciation of American skill and enterprise. I am not willing to strike before an effort is made. All our past history exhorts us to proceed, and inspires us with animating hopes of success. Past predictions of our incapacity have failed, and present predictions will not be realized. At the commencement of this government, we were told that the attempt would be idle to construct a marine adequate to the commerce of the country, or even to the business of its coasting trade. The founders of our government did not listen to these discouraging councils; and, behold the fruits of their just comprehension of our resources! Our restrictive policy was denounced, and it was foretold that it would utterly disappoint all our expectations. But our restrictive policy has been eminently successful; and the share which our navigation now enjoys in the trade with France, and with the British West-India islands, attests its victory. What were not the disheartening predictions of the opponents of the late war? Defeat, discomfiture, and disgrace, were to be the certain, but not the worst, effect of it. Here, again, did prophecy prove false; and the energies of our country, and the valour and the patriotism of our people, carried us gloriously through the war. We are now, and ever will be, essentially, an agricultural people. Without a material change in the fixed habits of the country, the friends of this measure desire to draw to it, as a powerful auxiliary to its industry, the manufacturing arts. The difference between a nation with, and without the arts, may be conceived, by the difference between a keel-boat and a steam-boat, combating the rapid torrent of the Mississisippi. How slow does the former ascend, hugging the sinuosities of the shore, pushed on by her hardy and exposed crew, now throwing themselves in vigorous con-

cert on their oars, and then seizing the pendent boughs of overhanging trees: she seems hardly to move; and her scanty cargo is scarcely worth the transportation! With what ease is she not passed by the steam-boat, laden with the riches of all quarters of the world, with a crowd of gay, cheerful, and protected passengers, now dashing into the midst of the current, or gliding through the eddies near the shore! Nature herself seems to survey, with astonishment, the passing wonder, and, in silent submission, reluctantly to own the magnificent triumphs, in her own vast dominion, of Fulton's immortal genius!

7. But it is said, that wherever there is a concurrence of favourable circumstances, manufactures will arise of themselves, without protection; and that we should not disturb the natural progress of industry, but leave things to themselves. If all nations would modify their policy on this anxiom, perhaps it would be better for the common good of the whole. Even then, in consequence of natural advantages and a greater advance in civilization and in the arts, some nations would enjoy a state of much higher prosperity than others. But there is no universal legislation. The globe is divided into different communities, each seeking to appropriate to itself all the advantages it can, without reference to the prosperity of others.—Whether this is right or not, it has always been, and ever will be, the case. Perhaps the care of the interests of one people, is sufficient for all the wisdom of one legislature; and that it is among nations, as among individuals, that the happiness of the whole is best secured by each attending to its own peculiar interests. The proposition to be maintained by our adversaries, is, that manufactures, without protection, will in due time, spring up in our country, and sustain themselves, in a competition with foreign fabrics, however advanced the arts, and whatever the degree of protection may be in foreign countries. Now I contend that this proposition is refuted by all experience, ancient and modern, and in every country. If I am asked, why unprotected industry should not succeed in a struggle with protected industry, I answer, the *fact* has ever been so, and that is sufficient; I reply, that *uniform*

experience evinces that it cannot succeed in such an unequal contest, and that is sufficient. If we speculate on the causes of this universal truth, we may differ about them. Still the indisputable fact remains. And we should be as unwise in not availing ourselves of the guide which it furnishes, as a man would be who should refuse to bask in the rays of the sun, because he could not agree with Judge Woodward as to the nature of the substance of that planet, to which we are indebted for heat and light. If I were to attempt to particularize the causes which prevent the success of the manufacturing arts, without protection, I should say, that they are—1st, the obduracy of fixed habits. No nation, no individual, will easily change an established course of business, even if it be unprofitable; and least of all is an agricultural people prone to innovation. With what reluctance do they not adopt improvements in the instruments of husbandry, or in modes of cultivation! If the farmer makes a good crop, and sells it badly; or makes a short crop; buoyed up by hope he perseveres, and trusts that a favourable change of the market, or of the seasons, will enable him, in the succeeding year, to repair the misfortunes of the past. 2dly, The uncertainty, fluctuation, and unsteadiness of the home market, when liable to an unrestricted influx of fabrics from all foreign nations; and, 3dly, The superior advance of skill, and amount of capital, which foreign nations have obtained, by the protection of their own industry. From the latter, or from other causes, the unprotected manufactures of a country are exposed to the danger of being crushed in their infancy, either by the design or from the necessities of foreign manufacturers. Gentlemen are incredulous as to the attempts of foreign merchants and manufacturers to accomplish the destruction of ours. Why should they not make such attempts? If the Scotch manufacturer, by surcharging our market, in one year, with the article of cotton bagging, for example, should so reduce the price as to discourage and put down the home manufacture, he would secure to himself the monopoly of the supply. And now having the exclusive possession of the market, perhaps for a long term of

years, he might be more than indemnified for his first loss, in the subsequent rise in the price of the article.—What have we not seen under our own eyes! The competition for the transportation of the mail, between this place and Baltimore, so excited, that, to obtain it, an individual offered, at great loss, to carry it a whole year for one dollar! His calculation, no doubt, was, that by driving his competitor off the road, and securing to himself the carriage of the mail, he would be afterwards able to repair his original loss by new contracts with the department. But the necessities of foreign manufacturers, without imputing to them any sinister design, may oblige them to throw into our markets the fabrics which have accumulated on their hands, in consequence of obstruction in the ordinary vents, or from over-calculation; and the forced sales, at losing prices, may prostrate our establishments. From this view of the subject, it follows, that, if we would place the industry of our country upon a solid and unshakeable foundation, we must adopt the protecting policy, which has every where succeeded, and reject that which would abandon it which has every where failed.

8. But if the policy of protection be wise, the gentleman from Virginia, (Mr. Barbour,) has made some ingenious calculations to prove that the measure of protection already extended, has been sufficiently great. With some few exceptions, the existing duties, of which he has made an estimate, were laid with the object of revenue, and without reference to that of encouragement to our domestic industry; and, although it is admitted that the incidental effect of duties so laid is to promote our manufactures, yet, if it falls short of competent protection, the duties might as well not have been imposed with reference to that purpose. A moderate addition may accomplish this desirable end; and the proposed tariff is believed to have this character.

9. The prohibitory policy, it is confidently asserted, is condemned by the wisdom of Europe, and by her most enlightened statesmen. Is this the fact? We call upon gentlemen to show in what instance a nation that has enjoyed its benefits has surrendered it. [Here Mr. Barbour

rose, (Mr. Clay giving way,) and said that England had departed from it in the China trade, in allowing us to trade with her East India possessions, and in tolerating our navigation to her West India colonies.] With respect to the trade to China, the whole amount of what England has done is to modify the monopoly of the East India Company, in behalf of one and a small part of her subjects, to increase the commerce of another and the greater portion of them. The abolition of the restriction, therefore operates altogether among the subjects of England; and does not touch at all the interests of foreign powers. The toleration of our commerce to British India, is for the sake of the specie, with which we mainly carry on that commerce, and which, having performed its circuit, returns to Great Britain in exchange for British manufactures. The relaxation from the colonial policy, in the instance of our trade and navigation with the West Indies, is a most unfortunate example for the honorable gentleman; for it is an illustrious proof of the success of our restrictive policy, when resolutely adhered to. Great Britain had prescribed the terms on which we were to be graciously allowed to carry on that trade. The effect of her regulations was to exclude our navigation altogether, and a complete monopoly, on the part of the British navigation, was secured. We forbade it, unless our vessels should be allowed a perfect reciprocity. Great Britain stood out a long time; but finally yielded, and our navigation now fairly shares with hers in the trade. Have gentlemen no other to exhibit than these trivial relaxations from the prohibitory policy—which do not amount to a drop in the bucket—to prove its abandonment by Great Britain? Let them show us that her laws are repealed which prohibit the introduction of our flour and provisions; of French silks, laces, porcelain, manufactures of bronze, mirrors, woollens; and of the manufactures of all other nations; and then we may be ready to allow that Great Britain has really abolished her prohibitory policy. We find there, on the contrary, that system of policy in full and rigorous operation, and a most curiously interwoven system it is, as she enforces it. She begins by protecting all parts

of her immense dominions against foreign nations. She then protects the parent country against the colonies; and finally, one part of the parent country against another. The sagacity of Scotch industry has carried the process of distillation to a perfection, which would place the art in England on a footing of disadvantageous competition, and English distillation has been protected accordingly. But suppose it were even true that Great Britain had abolished all restrictions upon trade, and allowed the freest introduction of the produce of foreign labor, would that prove it unwise for us to adopt the protection system? The object of protection is the establishment and perfection of the arts. In England it has accomplished its purpose, fulfilled its end. If she has not carried every branch of manufacture to the same high state of perfection that any other nation has, she has succeeded in so many that she may safely challenge the most unshackled competition in exchanges. It is upon this very ground that many of her writers recommend an abandonment of the prohibitory system. It is to give greater scope to British industry and enterprise. It is upon the same selfish principle. The object of the most perfect freedom of trade, with such a nation as Britain, and of the most rigorous system of prohibition with a nation whose arts are in their infancy, may both be precisely the same. In both cases it is to give greater expansion to native industry. They only differ in the theatres of their operation. The abolition of the restrictive system by Britain, if by it she could prevail upon other nations to imitate her example, would have the effect of extending the consumption of British produce in other countries, where her writers boldly affirm it could maintain a fearless competition with the produce of native labor. The adoption of the restrictive system, on the part of the United States, by excluding the produce of foreign labor, would extend the consumption of American produce, unable in the infancy and unprotected state of the arts to sustain a competition with foreign fabrics. Let our arts breathe under the shade of protection; let them be perfected as they are in England,

and we shall then be ready, as England now is said to be, to put aside protection, and to enter upon the freest exchanges. To what other cause, than to their whole prohibitory policy, can you ascribe British prosperity? It will not do to assign it to that of her antiquity; for France is no less ancient, though much less rich and powerful, in proportion to the population and natural advantages of France. Hallam, a sensible and highly approved writer on the middle ages, assigns the revival of the prosperity of the north of Europe to the success of the woollen manufactories of Flanders, and the commerce of which their fabrics became the subject; and the commencement of that of England to the establishment of similar manufactures there under the Edwards, and to the prohibitions which began about the same time. As to the poor rates, the theme of so much reproach without England, and of so much regret within it, among her speculative writers, the system was a strong proof no less of her unbounded wealth than of her pauperism. What other nation can dispense, in the form of regulated charity, the enormous sum, I believe, of 10 or 12 millions sterling? [Mr. Barbour stated it was reduced to six; to which Mr. Clay replied, that he entertained no doubt but that the benign operation of British protection of home industry had greatly reduced it, within the last few years, by the full employment of her subjects, of which her flourishing trade bore evidence.] The number of British paupers was the result of pressing the principle of population to its utmost limits, by her protecting policy, in the creation of wealth, and in placing the rest of the world under tribute to her industry. Doubtless the condition of England would be better, without paupers, if in other respects it remained the same. But in her actual circumstances the poor system has the salutary effect of an equalizing corrective of the tendency to the concentration of riches, produced by the genius of her political institutions and by her prohibitory system.

But, is it true that England is convinced of the impolicy of the prohibitory system, and desirous to abandon it? What proof have we to that effect? We are asked

to reject the evidence deducible from the settled and steady practice of England, and to take lessons in a school of philosophical writers, whose visionary theories are no where adopted; or, if adopted, bring with them inevitable distress, impoverishment, and ruin. Let us hear the testimony of an illustrious personage, entitled to the greatest attention, because he speaks after a full experiment of the unrestrictive system made in his own empire. I hope I shall give no offence in quoting from a publication issued from "the mint of Philadelphia;" from a work of Mr. Carey, of whom I seize, with great pleasure, the occasion to say, that he merits the public gratitude, for the disinterested diligence with which he has collected a large mass of highly useful facts, and for the clear and convincing reasoning with which he generally illustrates them. The Emperor of Russia, in March, 1822, after about two years' trial of the free system, says, through Count Nesselrode:

"To produce happy effects, the principles of commercial freedom must be generally adopted. *The state which adopts, whilst others rejects them, must condemn its own industry and commerce, to pay a ruinous tribute to those of other nations.*"

"From a circulation exempt from restraint, and the facility afforded by reciprocal exchanges, almost all the governments at first resolved to seek the means of repairing the evil which Europe had been doomed to suffer; but experience, and more correct calculations, because they were made from certain data, and upon the results already known of the peace that had just taken place, forced them soon to adhere to the prohibitory sytem.

"England preserved hers. Austria remained faithful to the rule she had laid down, to guard herself against the revivalship of foreign industry. France with the same views, adopted the most rigorous measures of precaution. And Prussia published a new tariff in October last, which proves that she found it impossible not to follow the example of the rest of Europe."

"In proportion as the prohibitory system is extended and rendered perfect in other countries, that state which

pursues the contrary system, makes, from day to day, sacrifices more extensive and more considerable. * * * It offers a continual encouragement to the manufactures of other countries—and its own manufactures perish in the struggle which they are, as yet, unable to maintain.

"It is with the most lively feelings of regret we acknowledge it is our own proper experience which enables us to trace this picture. The evils which it details have been realized in Russia and Poland, since the conclusion of the act of the 7–19 of December, 1818. Agriculture without a market, industry without protection, languish and decline. Specie is exported, and the most solid commercial houses are shaken. The public prosperity would soon feel the wound inflicted on private fortunes, if new regulations did not promptly change the actual state of affairs.

"Events have proved that our agriculture and our commerce, as well as our manufacturing industry, are not only paralyzed, but brought to the brink of ruin."

The example of Spain has been properly referred to, as affording a striking proof of the calamities which attend a state that abandons the care of its own internal industry. Her prosperity was greatest, when the arts, brought there by the Moors, flourished most in that kingdom. Then she received from England her wool, and returned it in the manufactured state; and then England was least prosperous. The two nations have reversed conditions. Spain, after the discovery of America, yielding to an inordinate passion for the gold of the Indies, sought in their mines that wealth which might have been better created at home. Can the remarkable difference in the state of the prosperity of the two countries, be otherwise explained, than by the opposite systems which they pursued? England, by a sedulous attention to her home industry, supplied the means of an advantageous commerce with her colonies. Spain, by an utter neglect of her domestic resources, confided altogether in those which she derived from her colonies, and presents an instance of the greatest adversity. Her colonies were infinitely more valuable than those of England; and if

she had adopted a similar policy, is it unreasonable to suppose that, in wealth and power, she would have surpassed that of England? I think the honorable gentleman from Virginia does great injustice to the Catholic religion, in specifying that as one of the leading causes of the decline of Spain. It is a religion entitled to great respect; and there is nothing in its character incompatible with the highest degree of national prosperity. Is not France, the most polished, in many other respects the most distinguished state of Christendom, Catholic? Is not Flanders the most populous part of Europe, also Catholic? Are the Catholic parts of Switzerland and of Germany less prosperous than those which are Protestant?

10. The next objection of the honorable gentleman from Virginia, which I shall briefly notice, is, that the manufacturing system is adverse to the genius of our government, in its tendency to the accumulation of large capitals in a few hands; in the corruption of the public morals, which is alledged to be incident to it; and in the consequent danger to the public liberty. The first part of the objection would apply to every lucrative business, to commerce, to planting, and to the learned professions. Would the gentleman introduce the system of Lycurgus? If his principle be correct, it should be extended to any and every vocation which had a similar tendency. The enormous fortunes in our country—the nabobs of the land—have been chiefly made by the profitable pursuit of that foreign commerce, in more propitious times, which the honourable gentleman would so carefully cherish.—Immense estates been have also made in the South. The dependents are, perhaps, not more numerous upon that wealth which is accumulated in manufactures, than they are upon that which is acquired by commerce and by agriculture. We may safely confide in the laws of distributions, and in the absence of the rule of primogeniture, for the dissipation, perhaps too rapid, of large fortunes. What has become of those which were held two or three generations back in Virginia? Many of the descendants of the ancient aristocracy, as it was called, of that state,

are now in the most indigent condition. The best security against the demoralization of society, is the constant and profitable employment of its members. The greatest danger to public liberty is from idleness and vice. If manufactures form cities, so does commerce. And the disorders and violence which proceed from the contagion of the passions, are as frequent in one description of those communities as in the other. There is no doubt but that the yeomanry of a country is the safest depository of public liberty. In all time to come, and under any probable direction of the labor of our population, the agricultural class must be much the most numerous and powerful, and will ever retain, as it ought to retain, a preponderating influence in our councils. The extent and the fertility of our lands constitute an adequate security against an excess in manufactures, and also against oppression on the part of capitalists towards the laboring portions of the community.

11. The last objection, with a notice of which I shall trouble the committee, is, that the constitution does not authorize the passage of the bill. The gentleman from Virginia does not assert, indeed, that it is inconsistent with the express provisions of that instrument, but he thinks it incompatible with the spirit of the constitution. If we attempt to provide for the internal improvement of the country the constitution, according to some gentlemen, stands in our way. If we attempt to protect American industry against foreign policy and the rivalry of foreign industry, the constitution presents an insuperable obstacle. This constitution must be a most singular instrument! It seems to be made for any other people than our own. Its action is altogether foreign. Congress has power to lay duties and imposts, under no other limitation whatever than that of their being uniform throughout the United States. But they can only be imposed, according to the honorable gentleman, for the sole purpose of revenue. This is a restriction which we do not find in the constitution. No doubt revenue was a principal object with the framers of the constitution in investing congress with the power. But, in executing it, may not the duties and imposts

be so laid as to secure domestic interests? Or is congress denied all discretion as to the amount or the distribution of the duties and imposts?

The gentleman from Virginia has, however, entirely mistaken the clause of the constitution on which we rely. It is that which gives to congress the power to regulate commerce with foreign nations. The grant is plenary, without any limitation whatever, and includes the whole power of regulation, of which the subject to be regulated is susceptible. It is as full and complete a grant of the power, as that is to declare war. What is a regulation of commerce? It implies the admission or exclusion of the objects of it, and the terms. Under this power some articles, by the existing laws, are admitted freely, others are subjected to duties so high as to amount to their prohibition, and various rates of duties are applied to others. Under this power, laws of total non-intercourse with some nations, and embargoes, producing an entire cessation of commerce with all foreign countries, have been, from time to time, passed. These laws, I have no doubt, met with the entire approbation of the gentleman from Virginia.—[Mr. Barbour said that he was not in Congress.] Wherever the gentleman was, whether on his farm or in the pursuit of that profession of which he is an ornament, I have no doubt that he gave his zealous support to the laws referred to.

The principle of the system under consideration, has the sanction of some of the best and wisest men, in all ages, in foreign countries as well as in our own—of the Edwards, of Henry the Great, of Elizabeth, of the Colberts, abroad; of our Franklin, Jefferson, Madison, Hamilton, at home. But it comes recommended to us by a higher authority than any of these, illustrious as they unquestionably are; by the master spirit of the age—that extraordinary man, who has thrown the Alexanders and the Cæsars infinitely farther behind him than they stood in advance of the most eminent of their predecessors—that singular man, who, whether he was seated on his imperial throne, deciding the fate of nations and allotting kingdoms to the members of his family, with the same composure, if not with the

same affection, as that with which a Virginia father divides his plantations among his children, or on the miserable rock of St. Helena, to which he was condemned by the cruelty and the injustice of his unworthy victors, is equally an object of the most intense admiration. He appears to have comprehended, with the rapidity of intuition, the true interests of a state, and to have been able, by the turn of a single expression, to develope the secret springs of the policy of cabinets. We find that Las Cases reports him to have said:

"He opposed the principles of economists, which he said were correct in theory though erroneous in their application. The political constitution of different states, continued he, must render these principles defective; local circumstances, continually call for deviations from their uniformity. Duties, he said, which were so severely condemned by political economists, should not, it is true, be an object to the treasury: they should be the guarantee and protection of a nation, and should correspond with the nature and the objects of its trade. Holland, which is destitute of productions and manufactures, and which was a trade only of transit and commission, should be free of all fetters and barriers. France, on the contrary, which is rich in every sort of production and manufactures, should incessantly guard against the importations of a rival, who might still continue superior to her, and also against the cupidity, egotism, and indifference of mere brokers.

"I have not fallen into the errour of modern systematizers," said the Emperor, "who imagine that all the wisdom of nations is centered in themselves. Experience is the true wisdom of nations. And what does all the reasoning of economists amount to? They incessantly extol the prosperity of England, and hold her up as our model; but the Custom-house system is more burthensome and arbitrary in England than in any other country. They also condemn prohibitions; yet it was England set the example of prohibitions; and they are in fact necessary with regard to certain objects. Duties cannot adequately supply the place of prohibitions; there will always be found means to defeat the object of the legislator. In

France we are still very far behind on these delicate points, which are still unperceived or ill-understood by the mass of society. Yet, what advancement have we not made,—what correctness of ideas has been introduced by my gradual classification of agriculture, industry, and trade; objects so distinct in themselves, and which present so great and positive a graduation!

"1st.—*Agriculture;* the soul, the first basis of the empire.

"2d.—*Industry;* the comfort and happiness of the population.

"3d.—*Foreign Trade;* the superabundance, the proper application of the surplus of agriculture and industry.

"Agriculture was continually improving during the whole course of the revolution. Foreigners thought it ruined in France. In 1814, however, the English were compelled to admit that we had little or nothing to learn from them.

"Industry or manufactures, and internal trade, made immense progress during my reign. The application of chemistry to the manufactures caused them to advance with giant strides. I gave an impulse, the effects of which extended throughout Europe.

"Foreign trade, which in its results is infinitely inferior to agriculture, was an object of subordinate importance in my mind. Foreign trade is made for agriculture and home industry, and not the two latter for the former. The interests of these three fundamental cases are diverging and frequently conflicting. I always promoted them in their natural gradation; but I could not and ought not to have ranked them all on an equality. Time will unfold what I have done, the national resources which I created, and the emancipation from the English which I brought about. We have now the secret of the commercial treaty of 1783. France still exclaims against its author; but the English demanded it on pain of resuming the war. They wished to do the same after the treaty of Amiens; but I was then all-powerful; I was a hundred cubits high. I replied that if they were in possession of the heights of Montmartre I would still refuse to sign the

treaty. These words were echoed through Europe.

"The English will now impose some such treaty on France, at least if popular clamour, and the opposition of the mass of the nation, do not force them to draw back. This thraldom would be an additional disgrace in the eyes of that nation, which is now beginning to acquire a just perception of her own interests.

"When I came to the head of the government, the American ships, which were permitted to enter our ports on the score of their neutrality, brought us raw materials, and had the impudence to sail from France without freight, for the purpose of taking in cargoes of English goods in London. They moreover had the insolence to make their payments, when they had any to make, by giving bills on persons in London. Hence the vast profits reaped by the English manufactures and brokers, entirely to our prejudice. I made a law that no American should import goods to any amount, without immediately exporting their exact equivalent. A loud outcry was raised against this: it was said that I had ruined trade. But what was the consequence? Notwithstanding the closing of my ports, and in spite of the English, who ruled the seas, the Americans returned and submitted to my regulations. What might I not have done under more favourable circumstances?

"Thus I naturalized in France the manufacture of cotton, which includes:—

"1st. *Spun-cotton.*—We did not previously spin it ourselves; the English supplied us with it as a sort of favour.

"2d *The web.*—We did not yet make it; it came to us from abroad.

"3d. *The printing.* This was the only part of the manufacture that we performed ourselves. I wished to naturalize the two first branches; and I proposed to the council of state, that their importation should be prohibited. This excited great alarm. I sent for Oberkamp, and I conversed with him a long time. I learned from him, that this prohibition would doubtless produce a shock, but that after a year or two of perseverance, it

would prove a triumph, whence we should derive immense advantages. Then I issued my decree in spite of all; this was a true piece of statesmanship.

"I at first confined myself merely to prohibiting the web; then I extended the prohibition to spun cotton; and we now possess within ourselves the three branches of the cotton manufacture, to the great benefit of our population, and the injury and regret of the English:—which proves that in civil government, as well as in war, decision of character is often indispensable to success."

I will trouble the committee with only one other quotation, which I shall make from Lowe, and from hearing which the committee must share with me in the mortification which I felt on perusing it. That author says: "It is now above 40 years since the United States of America were definitively separated from us, and since their situation has afforded a proof that the benefit of mercantile intercourse may be retained, in all its extent, without the care of governing, or the expense of defending, these once regretted provinces." Is there not too much truth in this observation? By adhering to the foreign policy, which I have been discussing, do we not remain essentially British, in every thing but the form of our government? Are not our interests, our industry, our commerce, so modified as to swell British pride, and to increase British power?

Mr. Chairman, our confederacy comprehends, within its vast limits, great diversity of interests—agricultural—planting—farming—commercial—navigating—fishing—manufacturing. No one of these interests is felt in the same degree, and cherished with the same solicitude, throughout all parts of the Union. Some of them are peculiar to particular sections of our common country.—But all these great interests are confided to the protection of one government—to the fate of one ship; and a most gallant ship it is, with a noble crew. If we prosper, and are happy, protection must be extended to all; it is due to all. It is the great principle on which obedience is demanded from all. If our essential interests cannot find protection from our own government against the policy

of foreign powers, where are they to get it? We did not unite for sacrifice, but for preservation. The inquiry should be, in reference to the great interests of every section of the Union, (I speak not of minute subdivisions,) what would be done for those interests if that section stood alone and separated from the residue of the Republic? If the promotion of those interests would not injuriously affect any other section, then every thing should be done for them, which would be done if it formed a distinct government. If they come into absolute collision with the interests of another section, a reconciliation, if possible, should be attempted, by mutual concession, so as to avoid a sacrifice of the prosperity of either to that of the other. In such a case all should not be done for one which would be done if it were separated and independent, but something; and, in devising the measure, the good of each part and of the whole should be carefully consulted. This is the only mode by which we can preserve, in full vigour, the harmony of the whole Union. The South entertains one opinion, and imagines that a modification of the existing policy of the country, for the protection of American industry, involves the ruin of the South. The North, the East, the West, hold the opposite opinion, and feel and contemplate, in a longer adherence to the foreign policy, as now exists, their utter destruction. Is it true, that the interests of these great sections of our country are irreconcilable with each other? Are we reduced to the sad and afflicting dilemma of determining which shall fall a victim to the prosperity of the other? Happily, I think, there is no such distressing alternative. If the North, the West, and the East, formed an independent state, unassociated with the South, can there be a doubt that the restrictive system would be carried to the point of prohibition of every foreign fabric of which they produce the raw material, and which they could manufacture? Such would be their policy, if they stood alone; but they are fortunately connected with the South, which believes its interest to require a free admission of foreign manufactures. Here then is a case for mutual concession, for fair compromise. The bill under consideration pre-

sents this compromise. It is a medium between the absolute exclusion and the unrestricted admission of the produce of foreign industry. It sacrifices the interest of neither section to that of the other; neither, it is true, gets all that it wants, nor is subject to all that it fears. But it has been said that the South obtains nothing in this compromise.—Does it lose any thing? is the first question. I have endeavoured to prove that it does not, by showing that a mere transfer is effected in the source of the supply of its consumption from Europe to America; and that the loss, whatever it may be, of the sale of its great staple in Europe is compensated by the new market created in America. But does the South really gain nothing in this compromise? The consumption of the other sections, though somewhat restricted, is still left open by this bill, to foreign fabrics purchased by Southern staples. So far its operation is beneficial to the South, and prejudicial to the industry of the other sections, and that is the point of mutual concession. The South will also gain by the extended consumption of its great staple, produced by an increased capacity to consume it in consequence of the establishment of the home market. But the South cannot exert its industry and enterprise in the business of manufactures! Why not? The difficulties, if not exaggerated, are artificial, and may therefore be surmounted. But can the other sections embark in the planting occupations of the South? The obstructions which forbid them are natural, created by the immutable laws of God, and therefore unconquerable.

Other and animating considerations invite us to adopt the policy of this system. Its importance, in connexion with the general defence in time of war, cannot fail to be duly estimated. Need I recall to our painful recollection the sufferings, for the want of an adequate supply of absolute necessaries, to which the defenders of their country's rights and our entire population were subjected during the late war? Or to remind the Committee of the great advantage of a steady and unfailing source of supply, unaffected alike in war and in peace? Its importance, in reference to the stability of our Union, that paramount and greatest of

all our interests, cannot fail warmly to recommend it, or at least to conciliate the forbearance of every patriot bosom. Now our people present the spectacle of a vast assemblage of jealous rivals, all eagerly rushing to the seaboard, jostling each other in their way, to hurry off to glutted foreign markets the perishable produce of their labour. The tendency of that policy, in conformity to which this bill is prepared, is to transform these competitors into friends and mutual customers; and, by the reciprocal exchanges of their respective productions, to place the confederacy upon the most solid of all foundations the basis of common interest. And is not government called upon, by every stimulating motive, to adapt its policy to the actual condition and extended growth of our great republic? At the commencement of our constitution, almost the whole population of the United States was confined between the Alleghany mountains and the Atlantic ocean. Since that epoch, the western part of New-York, of Pennsylvania, of Virginia, all the western states and territories, have been principally peopled. Prior to that period we had, scarcely any interior. An interior has sprung up as it were by enchantment, and along with it new interests and new relations, requiring the parental protection of government. Our policy should be modified accordingly, so as to comprehend all, and sacrifice none.—And are we not encouraged by the success of past experience, in respect to the only article which has been adequately protected? Already have the predictions of the friends of the American system, in even a shorter time than their most sanguine hopes could have anticipated, been completely realized in regard to that article, and consumption is now better and cheaper supplied with coarse cottons, that it was under the prevalence of the foreign system.

Even if the benefits of the policy were limited to certain sections of our country, would it not be satisfactory to behold American industry, wherever situated, active, animated, and thrifty, rather than persevere in a course which renders us subservient to foreign industry? But these benefits are twofold, direct and collateral, and in

the one shape or the other they will diffuse themselves throughout the Union. All parts of the Union will participate, more or less, in both. As to the direct benefit, it is probable that the North and the East will enjoy the largest share. But the west and the South will also participate in them. Philadelphia, Baltimore, and Richmond, will divide with the Northern capitals the business of manufacturing. The latter city unites more advantages for its successful prosecution than any other place I know; Zanesville, in Ohio, only excepted. And where the direct benefit does not accrue, that will be enjoyed of supplying the raw material and provisions for the consumption of artisans. Is it not most desirable to put at rest and prevent the annual recurrence of this unpleasant subject, so well fitted by the various interests to which it appeals, to excite irritation and to produce discontent? Can that be effected by its rejection? Behold the mass of petitions which lie on our table, earnestly and anxiously entreating the protecting interposition of congress against the ruinous policy which we are pursuing. Will these petitioners, comprehending all orders of society, entire states and communities, public companies and private individuals, spontaneously assembling, cease in their humble prayers by your lending a deaf ear? Can you expect that these petitioners, and others, in countless numbers, that will, if you delay the passage of this bill, supplicate your mercy, should contemplate their substance gradually withdrawn to foreign countries, their ruin slow, but certain and as inevitable as death itself, without one expiring effort? You think the measure injurious to you; we believe our preservation depends upon its adoption. Our convictions, mutually honest, are equally strong. What is to be done? I invoke that saving spirit of mutual concession under which our blessed constitution was formed, and under which alone it can be happily administered. I appeal to the South—to the high-minded, generous, and patriotic South—with which I have so often co-operated, in attempting to sustain the honor and to vindicate the rights of our country. Should it not offer, upon the altar of the public good, some sacrifice of its peculiar opinions? Of

what does it complain? A possible temporary enhancement in the objects of consumption. Of what do we complain? A total incapacity, produced by the foreign policy, to purchase, at any price, necessary foreign objects of consumption. In such an alternative, inconvenient only to it, ruinous to us, can we expect too much from Southern magnanimity! The just and confident expectation of the passage of this bill has flooded the country with recent importations of foreign fabrics. If it should not pass, they will complete the work of destruction of our domestic industry. If it should pass, they will prevent any considerable rise in the price of foreign commodities, until our own industry shall be able to supply competent substitutes.

To the friends of the tariff, I would also anxiously appeal. Every arrangement of its provisions does not suit each of you; you desire some further alterations; you would make it perfect. You want what you will never get. Nothing human is perfect. And I have seen, with great surprise, a piece signed by a member of congress, published in the National Intelligencer, stating that this bill must be rejected, and a judicious tariff brought in as its substitute. A *judicious* tariff! No member of congress could have signed that piece; or, if he did, the public ought not to be deceived. If this bill do not pass, unquestionably no other can pass at this session, or probably during this congress. And who will go home and say that he rejected all the benefits of this bill, because molasses has been subjected to the enormous additional duty of five cents per gallon? I call, therefore, upon the friends of the American policy, to yield somewhat of their own peculiar wishes, and not to reject the practicable in the idle pursuit after the unattainable. Let us imitate the illustrious example of the framers of the constitution, and, always remembering that whatever springs from man partakes of his imperfections, depend upon experience to suggest, in future, the necessary amendments.

We have had great difficulties to encounter. 1. The splendid talents which are arrayed in this House against us. 2. We are opposed by the rich and powerful in the

land. 3. The Executive government, if any, affords us but a cold and equivocal support. 4 The importing and navigating interests, I verily believe from mis-conception, are adverse to us. 5. The British factors and the British influence are inimical to our success. 6. Long established habits and prejudices oppose us. 7. The reviewers and literary speculators, foreign and domestic. And, lastly, the leading presses of the country, including the influence of that which is established in this city, and sustained by the public purse.

From some of these, or other causes, the bill may be postponed, thwarted, defeated. But the cause is the cause of the country, and it must and will prevail. It is founded the interests and affections of the people. It is as native as the granite deeply imbosomed in our mountains.—And, in conclusion, I would pray GOD, in His infinite mercy, to avert from our country the evils which are impending over it, and, by enlightening our councils, to conduct us into that path which leads to riches, to greatness, to glory.

SPEECH

OF

MR. RICHARD M. JOHNSON,

On the Subject of Abolishing Imprisonment for Debt.

DELIVERED IN THE SENATE OF THE UNITED STATES, 16TH FEBRUARY, 1824.

Mr. Chairman,

I rise with some confidence, created by the intrinsic merit of the subject, and not from any conviction of talents in myself for public speaking. Is it expedient, sir, to abolish imprisonment for debt? This is the question.—I am in favor of a total abolition, without any conditions, either previous or subsequent. I wish it distinctly understood that I am willing that the remedy against the property of the debtor, should be extended as far as any reasonable man can require. But to allow the body of a citizen, under any circumstances, to be imprisoned at the discretion of his equal, in any civil action, of whatever description, I consider a most flagrant violation of personal liberty. If, in the private transactions of individuals, any of the parties shall demean themselves in such manner as to incur the charge of criminality, let such conduct be considered penal. Give to the injured citizen his remedy in the property of the aggressor. Let the government arraign the criminal, and, in the establishment of his guilt, let punishment, proportioned to the crime, be inflicted.—In case of assault and battery and breach of the peace, the injured party has his remedy for the damage which he has sustained. His lien should be solely against the property of the offender. But, for disturbing the harmony of society, the offender is properly subject to a criminal

prosecution, and fine and imprisonment are his just desert. Here the line of separation between the jurisdiction of the criminal and civil code is maintained, as it should exist in all other cases. In case of a fraudulent suppression of truth, or the suggestion of a falsehood in private transactions, give the injured party reparation for the civil injury, and define fraud as you have felony—make it a part of the criminal code, and when, upon the solemnities of a constitutional trial, guilt is detected, punish it as it deserves; humanity will not revolt at the proceeding—rectitude will rejoice. The line of jurisdiction between the civil and criminal code should be fairly drawn in every case.

In a country free as ours, civil injury and crime should never be confounded. Punishment is a retribution for offence, and is solely the prerogative of the sovereign power of the state. Civil injury is repaired by pecuniary satisfaction, and this the injured person has a right to claim.

But the moment you clothe one citizen with the power of depriving another of his personal liberty, whether for debt or for any other cause, when the state is no party in the suit, you establish a petty tyranny in the land, more extensive, more odious, more despotic and destructive, than the feudal system.

Let it also be recollected, that, to punish an individual for an alleged offence, which has not been defined, by law, previous to its commission, is a violation of the most sacred rights of freedom.

And, where it is impracticable to define violations of the moral laws, so as to make them a part of the penal code, lest too much discretionary power should be confided to our courts to attempt the infliction of punishment, must be dangerous in the extreme. It is upon this principle that many violations of the moral law escape legal chastisement. The father who neglects to advance his son in virtuous and intellectual improvement, when both are within his power, who destines his ill-fated offspring to servile employment, until the age of political and legal independence emancipate him, is not liable to the law, although the sentiment of all around him, condemns and abhors his sordid career. The son, who, in the declining

years of his father, has become possessed of his whole property, upon the understanding that the father shall be cherished and supported with filial tenderness and assiduity, and who yet abandons his hoary locks and woe-worn features to poverty and wretchedness, is not obnoxious to the law, though he merits and possesses the reprobation of mankind; is disgraced in the estimation of the honorable and virtuous, and is a foul transgressor in the presence of his Creator. Why do these gross violations of every thing sacred in paternal affection and filial duty, pass without legal avengement? It is because the power of punishing would be liable to abuse; because it might, in some cases, endanger the liberty of the citizen. We therefore content ourselves with leaving these violations of nature and justice to the reprehensions of public sentiment. Christianity enjoins upon us the duty of benevolence and charity towards all mankind: yet, whoever seriously regarded such an injunction as a proper subject for public legislation? It is upon principles such as I have mentioned, that I would abolish imprisonment for debt in every possible form.

Communicate and confirm this power, and you place an innocent and unfortunate debtor on the same ground with the most abandoned swindler; the line of demarcation between right and wrong, innocence and guilt completely vanishes. In vindication of the cruel system which it is my wish to expose, we are told that its evils are exaggerated, and that the moral sense of the community will shield the unfortunate from oppression. But who sees not that this very apology, while it honors the public feeling, pours disgrace upon the law? To ascertain the real character of this system, we must trace the consequences that would follow its rigid execution. I ask, then, what number of individuals in the United States can be made subjects of imprisonment for debt? I answer, all who could not punctually discharge the demands against them—including the wives and children, and others dependent on this class of the community. I presume it would not embrace fewer than a million of souls. Shall such a body of freemen be degraded by caprice, or ruined by malignity? If such be

the case, at a period in our history, when only forty-seven summers have beamed upon our independence, and our population amounting to ten millions, what must be our condition when our population shall amount to fifty millions? When New-York, Philadelphia, Boston, Baltimore, Charleston, New-Orleans, and others of our cities, shall be animated with the busy pursuits of a million in each, what will be our condition under this barbarous system? imagination shudders while she anticipates the result; and virtue, benevolence, and justice weep and frown But, it has been said that the evils have been exaggerated; few instances of rigorous oppression occur in our courts of judicature. Admit, for a moment, that this is the fact; does this forbid our investigation of existing evil principles? Allow me to suppose, that a solitary individual has fallen, or is liable to fall, a victim to the unjust laws of his country. Is his affliction to be disregarded? Such is not the constitution of Heaven, whose model we can never too much imitate and accurately adopt. No consideration is too minute for the condescension and superintendence and concern of our Heavenly Father. By him the hairs of our head are all numbered. Even the flight of sparrows, though two of them be but of the value of a farthing, elude not his providential observance. I ask, in language derived from superhuman authority, is not man of more value than many sparrows? It is a notorious fact, that we undervalue the solemn duties of legislation. By the suffrages of the people, a power is invested in us superior to every thing which has immortalized the stern Lycurgus and the yielding Solon; to exert that power is a duty which the people reasonably expect, and which every generous and enlightened sentiment of the heart inculcates. I have before me recorded evidence of the evils of imprisoning debtors, which would chill the blood of any feeling man. It might turn a Nero pale and make a Caligula shudder. Why do any of us question the enormity of the practice which we are compelled to condemn? Because we are removed from the scenes of misery. Had we a Howard, that illustrious measurer and reliever of human calamity, among us, though he should possess the disposition, time would

fail him to visit our abodes of authorized misery. An authentic account of the horrors of the Spanish inquisition for three hundred and fifty years has recently been published; during that period, thirty-one thousand three hundred and sixty-five persons have been burned alive, without offence; eighteen thousand eight hundred and forty-nine have been degraded and burnt in effigy; 280,-214 have been condemned to perpetual imprisonment, or to the infamous galleys of this holy association—constituting the number of three hundred and forty thousand nine hundred and twenty-one. These savage cruelties were confined to Old Spain. They embrace not her vast possessions in South America and other parts of our globe. What eloquence can portray the silent agony, the bursting groans of the victims of this heart rending cruelty! The Spanish nation generally, were probably ignorant of these barbarous measures, and no doubt would have denied their existence—like those who deny the evils of imprisonment for debt; the Spaniards knew nothing or little of this extent of suffering. Occasionally a near and affectionate relative, may have had some obscure idea of this horrid persecution. The watchful anxiety of some kindred spirit may have heard the unavailing sigh, the expiring pang of the agonized victim; but these were lost in the tumult of the world, or if remembered, remembered only to be forgotten. In a manner analagous to this the debtor suffers the evils of imprisonment in these United States. We accustom ourselves to that species of apathy, which, having ears, hears not. The tear of desolation drops unobserved, and the visions of calamity pass away like a dream. The decision of a court of justice deposites the body of a patriot in the gloom of a jail, merely for the sin of having been unfortunate, and of all his animating hopes leaves not a wreck behind. Few are acquainted with his misfortunes; still fewer shed the generous tear of sympathy. Taught to venerate the decisions of the judiciary, and the officers of justice, the hearts of his fellow citizens, not more worthy than himself, welcome the hardness of the nether mill stone and the adamant. In this way, the march of tyranny is usually silent, but always desolating. Let congress vio-

late the rights of an individual, however obscure, what would be the consequence? The thunder of loud and generous indignation would roar from the rocks of Maine to the gulf of Mexico, from the blue wave of the Atlantic to the Pacific Ocean. No man could be strong enough in the affections of the people to sustain himself against a solitary instance of individual oppression. But let the vindictive creditor consign to the cell his unfortunate debtor. Let him demand manacles and fetters; let him permit life to linger on hardened bread and noxious water, and all is well; the law justifies the procedure: he may triumph in the power which he exercises, and glory in the idea that the public law stands a silent, perhaps a smiling spectator of the scene. I console myself with believing that this nation can feel for human misery, estimate correctly the value of freedom, and will ultimately select proper instruments for its destruction. In the town of Boston, consisting of a population of fifty thousand souls, from a report furnished me by a respectable society in that city, I have the affliction to learn, that, during the year 1820, fourteen hundred and forty-two persons were imprisoned for debt; in the year 1821, twelve hundred and eighty-one; and in the three quarters of the year 1822, seven hundred and sixty-nine persons, citizens of our Union—four hundred and thirty of these incarcerated victims were females!! The whole number imprisoned during this period, amounted to three thousand four hundred and ninety-two, among these two thousand and eighty-four persons were hurried into prison for debts under twenty dollars. The aggregate costs of these small debts exceeded the amount of the debts themselves.

I have read with much interest, some of the reports of the commissioners who were appointed at the last session of the legislature of Massachusetts, to visit the various prisons in the state, for the humane purpose of ascertaining their condition, of learning whether the state of the sufferers could be rendered more correspondent with the wish of humanity. I have not seen a consolidated report of this subject; but, from reading detached parts in the Boston papers, I have observed, that debtors were confined

in almost every prison. Males and females, in one instance, imprisoned in the same room. In one of the jails the felon and debtor were confined in the same room; and in another, the debtors enjoyed one comfortable meal in the twenty-four hours.

I am giving facts relative to one of the states of this Union; a state distinguished for patriotism; a state where the arts and sciences are flourishing; a state remarkable for moral improvements and for piety; a state, in fine, that has been justly denominated the Cradle of the Revolution.

But for the benevolence of a society in Boston, and the humane act of the Legislature, these disclosures would never have been made, or, if made, would have been pronounced incredible. I mention not these facts with a view of casting the least reproach upon the good people of Massachusetts. No, sir, the operation of this system is every where the same, in the United States and in Europe. During the last session of Congress, record evidence of the same system was offered in the city of New-York, and the result was the same. The prison was always crowded with debtors, and, although peculiar circumstances may sometimes produce a temporary relaxation of the severity of the system, yet, so long as confinement for a pecuniary demand is legalized, so long will your strong-holds of inhumanity be crowded with the children of misfortune and anguish; the Gorgon of misery will continue to grow with the march of time, and with the swell of population — Trust no man, sir, with arbitrary power. If you do, were he an angel, he would sink himself into a fiend.—The respectable and generous society in Boston, to which I have alluded, declares that the incarceration of these three thousand four hundred and ninety persons involved about ten thousand in the deepest sorrow. Here is nothing like exaggeration. The calculation will be sustained in the mind of every man who permits his reflections to trace the ramifications of society, including wife, children, and friends. Assuming this view as the clue for our calculation, every liberal principle of the heart becomes paralyzed while it unavoidably beholds the multitudes of free citizens of our Union who have bedewed their pillows with

the tears of affliction. How many have been injured and degraded by this barbarous custom since the termination of the late war with Great Britain!

The debtor, sunk beneath the elevation of man, may in vain utter his importunate request—Have patience with me and I will pay thee all. Had he been permitted to have pursued his avocations, by industry, frugality, and the blessings of Heaven, he would have emerged from his wretchedness; he might ultimately have discharged every righteous demand. and have terminated the career of life with credit and honour. But, no, sir; while the humane creditor would willingly indulge, avarice marches forward, as unfeeling as malignity, grasps after all, and delivers him to the officers of the law, who confine him to prison, and complete his ruin. Still, sir, we believe the evils exaggerated. I have been taught to believe that morality was the basis of legislation, and that fearful denunciations are uttered against sins of omission as well as sins of commission. It is a solemn duty, to reflect upon our accountability to God, as well as to our constituents. I recollect that Azariah, a king of Judah, is said to have done that which was right in the sight of the Lord, according to all that his fathers had done. But the high places were not removed, the people sacrificed and burnt incense upon the high places. The angry majesty of Heaven smote the King, so that he was a leper unto the day of his death. We have reason to rejoice in the blessings purchased with the blood of our fathers. Let us be grateful for their transmission; let us preserve them inviolate. Liberty of conscience, liberty of speech, liberty of the press, trial by jury, the right of personal liberty, and personal security; these are inestimable immunities.

But let not their brightness dazzle us. Let us walk in these charming paths. But let us ask ourselves if there is nothing left for us to do? Are there no high places undemolished? No sacrifice; no incense to Moloch unsuppressed?

We should not forget the animating, the expiring accents of a prophet—He that ruleth over men must be just, ruling in the fear of God: And he shall be as the light of

the morning, when the sun riseth; even as a morning without clouds. We are indebted to our Anglo-Saxon ancestors, more than to any other nation or people on earth, for the assertion of liberty, and for the vital principles of representative government. Talk not of the sanction of antiquity, of the veneration due to former times, when you deliver to the custody of the law a poor unfortunate debtor. Antiquity is against the measure as far as respects our ancestors. Look into English history, you will discover that the practice, which charity condemns, was introduced by judicial countenance and usurpation. At the period of the overthrow of the Saxon Heptarchy by Egbert, first King of England, such profound respect was entertained for the personal liberty of the citizen, that no man could suffer imprisonment in civil actions, and in no case, except for offences against the penal code. In all cases of arrests the peace of the Kingdom must have been disturbed by violence and outrage. Such was the undisgraced, the happy condition of society, in this respect, for many centuries.

This liberty was confirmed by the wise administration and public institutions of the illustrious Alfred. In process of time, however, while the kingdom was harassed by Danish invasions, and the irruptions of other Northern powers, creditors, and the mercenary officers of the courts of judicature of that day, contrived to induce the judges to issue such civil process as to subject the debtor in civil actions, to imprisonment. This was the first step towards the introduction of a system which has extended its baleful influence to every civil transaction, whether accompanied with force or fraud, or exempt from the imputation of either. Then were those legal chains begun to be forged which have compressed the withered limbs of the unhappy debtor. Until the Norman conquest, this jealousy for personal liberty beat strong in every bosom. William the Conqueror introduced the tyranny of the feudal system, and labored to toll a curfew that should put out all the fires of personal independence. He depressed the conquered Saxons, and elevated his Norman followers by giving them large landed estates and extensive political power.

It was not, however, until the long reign of Henry the

Third that Parliament formally established the system of imprisonment in civil cases. And what was the object of this first statute? what the extent of the principle? It was first established in favor of the barons alone, against the bailiffs or receivers of their rents. Who were these barons? They constituted the entire nobility, the landed aristocracy of the kingdom. They constituted one powerful branch of the national legislature. They were the House of Lords. The law was at first limited and guarded. A bailiff could not be taken into the custody of law, unless he had not only received money, but had absconded, and had refused to account for or liquidate the amount in his possession, by a regular settlement. If this were done, whether able to pay fully or not, his body was held sacred, and his liberty secure. If the bailiffs or collectors had real estate, however small, upon which the process of attachment could operate, his body could not be arrested for a moment; a violation of his personal independence would have subjected a baron to heavy damages. Ultimately, however, the court and barons, and the officers of the law prevailed, and the body was made liable to unconditional imprisonment and chains. Here, sir, is another proof, if evidence were at all wanting, of the superior power of wealth and political privilege over poverty and misfortune. The court and the creditors found their account in the harshest measures. They found that, by extreme rigor, though one party was ruined, theirs was the profit. By slow degrees, this system continued to advance. In the succeeding reign of Edward the First, this principle was extended to merchants against their debtors, for the purpose of elevating them in the scale of society, and, by such elevation, counteracting, in some degree, the influence of the barons, which had become dangerous and alarming; so much so, that it held monarchy itself in check, and even threatened the destruction of regal power. In the reign of Edward the Third, this horrid system was enlarged so as to embrace actions in general of debt and detinue. One hundred and fifty years after, under the sordid reign of Henry the Seventh, the circle was completed. Violence and disaster, breach of trust and sheer misfortune, were crimes, in the

estimation of the law, of equal enormity. During the struggle for power on the part of the court and the creditors, let it be recollected that bail was not allowed, even upon mesne process. Without previous notice by summons, the capias being issued as the first step in an action, the debtor was taken into immediate custody, and committed to close jail, without the means of making terms with his creditor, or employing any exertions to meet the sum demanded. In the power of his creditor, a mere equal with himself, seized by the throat, he was doomed to the most cruel bondage, and the most exorbitant exactions.

This usurped power was employed with so much abominable rigor, and to such a shameful extent, that the prisons were literally crowded.

In the reign of Henry the 6th, bail was permitted on mesne process. It was thus allowed at the commencement of a suit until judgement was obtained. Then the poor debtor might be confined for life. It was in the power, and it was frequently the practice, of his adversary, to pronounce the sentence, as his victim entered the cell - thou shalt, by no means, come out thence until thou hast paid the uttermost farthing. Does a system like this deserve universal abhorrence? It is the system of the present day, with some modification. So frequently have the jails in England been filled with insolvents that it has become necessary to empty them by special acts of parliament. A general jail delivery has effected what avarice would have forever prevented. In the British annals, we have accounts of the establishment of benevolent societies for the relief of these hapless men and women. One of these societies established in London in 1772, in a period of eighteen years. with the sum of twenty-six thousand six hundred pounds sterling, rescued from woe and thraldom eleven thousaud five hundred aud forty-three persons. These had seven thousand one hundred and twelve wives, and twenty-one thousand five hundred and thirty-one children, making forty thousand one hundred and eighty-six persons immediate partakers of this cup of affliction.— These were released, not by the humanity, not by the righteousness of the law, but by this honorable and bene-

volent institution. The amount paid would average about three pounds for each individual released. In every instance the society made strict inquiry into the causes which had involved the prisoners, and communicated relief only where misfortune, not crime, had produced the insolvency. Thus eleven thousand five hundred and forty three honest, industrious, virtuous, but unfortunate men, were deprived of liberty; seven thousand one hundred and twelve females, wives of the imprisoned, were reduced to want and wretchedness; and twenty-one thousand five hundred and thirty-one children abandoned to starvation, or profligacy.—Where is the man that can hear this story and feel not his blood curdle within him? And yet England can boast of her freedom, the rectitude of her policy, the divinity of her religion! We also profess to be christians; we profess to love our fellow men: and how do we apologise for this foul blot? We boast of our insolvent laws, which approve not of perpetual imprisonment. What if we allow that these laws impart some relief to the system of its desolating character, its vindictive temper? By the Franklin rod, the habitation of the debtor may be protected from the lightning of heaven; but, alas! he has no rod that can secure him from the more angry flashes, the roar of his unrelenting foe.

After such developement, if we can deny the demoralizing tendency of this system; if we can deny the barbarous cruelty of investing the creditor with power over the debtor; if we can deny that such an arrangement is subversive of civil liberty, though one were to rise from the dead, and speak with the tongue of an angel, we should not believe. It is our duty to relieve the distressed; to weep over the sorrows of our fellow creatures; to contemplate the prison; to bring home to our own bosoms its horrors. There stands the half broken jug of feculent water; there the mouldy crust, the bed of straw. There the sepulchre that entombs the living; there, the soul broken with affliction, the soul on which despair, like the worm that never dies, is perpetually feeding. There is the dungeon where no pale of distinction is raised between the idle, the extravagant, the swindler, the felon, the assassin, and the indus-

trious, the economical, the honest but unfortunate child of sorrow. There are the accursed bars which separate him from the wife of his bosom, from his precious suffering babes, from his friends, from every thing which makes life worthy possessing. See at the door stands insatiable Avarice, with sunken eye, his keys clanking at his waist, and his iron mace on his shoulder. No supplications of a distracted wife, no tattered garments on shivering children, can excite one emotion of pity, one feeling of remorse.

And shall we, who have the power to relieve the captive, and to bind up the broken hearted, sit in complete insensibility? Shall we pronounce these dreadful realities the mere phantoms of the imagination? What are the causes, which above all others, produce and secure the prosperity of nations? Sir, they are personal liberty and personal security. The selfish principle in man must be regulated. Inordinate ambition is restrained by the constitution and by the laws; but you give an unnatural impulse to sordid principles by arming it with the extraordinary power of vilifying a fellow citizen by placing him in confinement for debt.

> "I cannot tell what you and other men
> Think of this life; but, for my single self,
> I had as lief not be, as live to be
> In awe of such a *thing* as I myself."

The love of liberty, sir, is implanted in every bosom. The deposite is safe. It can never be exterminated. It must endure as long as the high pillars of heaven. The condition of the enslaved may suppress, for a while, the sacred passion. It may cover it with ashes, but those very ashes will preserve it. Sir, I have visited Boston. I have seen the monument thrown up by the hand and heart of patriotism, in memory of Warren, and the brave men who fell at his side, on Bunker's Hill. I have read, with admiration and ecstacy, of the courage of our heroes at the bloody battle of Stillwater, when Burgoyne was compelled to submit to the arms of freemen. I have reflected on the sufferings, the sacrifices of the men who achieved our independence. In imagination, I have visited the powerful works which they have carried by storm. I see

them bleeding—dying—yet shouting in the embrace of victory and death. I have asked myself, what is the cause, the impulse, the motive, of this self-devotion, and have never been at a loss for an answer. It was THE LOVE OF LIBERTY. The passion is not like the central attraction of our earth, pulling every thing towards itself, but like the sun in the heavens, pouring on every side life and joy. It is a passion that embraces the welfare of our own country and of all mankind. With such ideas before me, I have involuntarily exclaimed—Is it possible that this holy treasure shall be taken away from its possessor, without crime, merely for a pecuniary obligation, which misfortune alone has prevented him from discharging? No man in the Union is unexposed to the shameful degredation: no matter what have been his public services, what his private virtues, how often he has dislodged the cannon of the enemy of his country, that he might, at least, have the privilege of living a freeman. I have known instances where soldiers of the revolution have been imprisoned upon mesne process, as well as upon execution after judgment.

It is not to be disguised that, notwithstanding this blot on our national character, we are the most free, the most happy people on earth. But what is this freedom, what this happiness to the wretch who is doomed to dishonor and insult, to imprisonment and ruin, without the least violation of the penal code of his country, or of the moral law of heaven! It was devotion to liberty that prompted Algernon Sidney to write against the divine right of kings, for which service he was beheaded. It was the same fine temper which induced the virtuous Riego to contend for the Spanish constitution, for which he suffered a death, ignominious in the estimation of kings, but most glorious in the view of every enlightened republican. In the trying hour, it was consolation to these distinguished patriots, that they fell by the stroke of a tyrant's rod and that posterity would do them justice. It is the same spirit which inspires the soldier in a country that dares be free, to suffer every hardship, to face the fiercest danger; but we are not sustained by the same cheering anticipations, since we are destroyed by that very country whose heart's blood

we have resolved shall continue to flow. To the sufferer, it is the same as if he were the victim of the despotism of the crescent, or a vassal of the Holy Alliance. The unpitied mortal may say, "alas for me, I have no country!" The resolution which the terrors of the tented field, which the rattle of musketry, and the thunder of cannon could not shake, expires within him. The soldier, the man, is entirely lost. A blameless life has no shield for him.—Misfortune would plead, but she is told by inexorable judges the case is hopeless. Humanity would vindicate his cause, but the law has fixed his doom. His sorrows deepen, and he has no hope for relief but such as death can supply. He casts his despondent eye on the grave —"There the wicked cease from troubling, and there the weary are at rest. There the prisoners rest together —they hear not the voice of the oppressor. There the servant is free from his master. Wherefore is the light given to him that is in misery, and life to the bitter in soul? which long for death and it cometh not, and dig for it more than for hid treasures; which rejoice exceedingly and are glad when they can find the grave."

We have already, in some degree, traced the origin of this man-destroying system. It is the offspring of a barbarous age—the enslaving instrument of wealth, associated with the love of power and with principles base and sordid. We have seen that it was first adopted in England to gratify the privileged orders—the Barons, the landed aristocracy, of the country. To this day the nobility are exempt from liability to imprisonment for any pecuniary claims against them. It is the yeomanry of every country who feel the strokes of despotism—the laboring and virtuous class, upon whose industry and virtue the community must ultimately depend for safety. In the early ages of mankind, the ill-fated debtor was subject to absolute and perpetual slavery, together with his innocent wife and unoffending children. In England, we can distinctly trace the progress of this hateful insult on every thing generous and good. For many centuries, imprisonment was restricted to such as were convicted of high crimes and misdemeanors. It was then extended to all civil cases,

where, in fact, or in law, force or violence had been used. It was then extended to the Barons, in reference to their stewards, bailiffs, and receivers of rents, as for a breach of trust or pretended fraud; and, at last, was employed in cases without discrimination.

Permit me, sir, to call your attention to another radical innovation, in civil proceedings, in favor of the creditor, and against the debtor. In the early periods of English liberty, the body was not only exempt from capias and imprisonment, but every plaintiff was subject to summons alone. If the debtor did not appear, an attachment, or *distringas*, was issued against his estate. The creditor or plaintiff was required, in every instance, as a previous condition, to give bond and security that he would prosecute his suit with effect, and that the action was neither groundless nor malicious. It was required that no man should attempt to prostitute the power of court to gratify his revenge, or to prosecute such as were entitled to equal privileges with himself. But the courts, without any legislative act, dispensed with the subpœna and distringas, which operated against the estate of the defendant, and made the capias, by which the body was taken into custody at the commencement of the suit—dispensing with the pledges of prosecution, or sureties against a groundless or malicious action. By this judicial contrivance, a total revolution was effected, in civil proceedings, furnishing the Courts with power against the personal liberty of the debtor, that knew no restraint. And, yet, sir, it is considered unreasonable, by some, that we should dispense with bail on mesne process. A creditor, without being bound for costs, may institute a prosecution or action. He may do more—he may prostitute the power of the Court, for the purpose of gratifying his malignant spirit, by holding the debtor to bail previous to his trial; a usage at which humanity must blush; a usage, which it would seem to require the most accomplished vice to employ. If the debtor should be so afflicted as not to be able to obtain bail he must languish in jail until his trial. He may then obtain a judgment in his favor, and his costs not secured to him.

Is this equality? Is this justice? It is such justice, such equality, that our country should be ashamed of. I ask, If the plaintiff have free access to our courts, without a pledge, or any species of restraint, is it not fairly and honestly correct to release the debtor from all bail and exposure to imprisonment, until, at least a judgment shall pass against him? It is of no force to urge that a creditor may loose his claim. It is a paramount consideration that, in many cases, an innocent man may suffer a loss of liberty, without trial, and by the suggestion of a temper wholly malign. In theory, our government recognizes an equality of rights; but in the present case, the theory is grossly violated. We admit of no privileged orders. The constitution expressly denounces such orders. Call the people what you please, patricians or plebians, lords or commons, only let them be equal, and free from subjection to unmerited degradation. If the nobility of England exist, without being subject to a system of shameful imprisonment, why may not the people of the United States flourish and prosper, under a similar exemption.

It is an interesting employment for the mind to contemplate the moral improvement of our species, and to develop the causes which advance or retard it. In all ages, nations have, more or less, believed that a conflict exists between a good and an evil principle, in the world. We cannot deny that, at the present crisis, a mighty struggle is going on between those who are engaged in diffusing the light of science, and diffusing the moral faculties of our race, and those who are endeavoring to keep stationary the human intellect; or to impart to it a retrograde motion. The family of man is estimated to be eight hundred millions. Christendom is supposed to contain two hundred million: one half of whom, we may conclude, are under the benign influence of the Christian religion. Multitudes of these are peculiarly devoted to the service of civilizing, and in a moral view, improving mankind; and in their various benevolent and religious institutions, assuming names which are applicable to their particular objects. It is concluded, that, at no period since the Creation, have so many excellent men been employed in

this illustrious project. Human character may be exalted by grand discoveries in physical science, yet the moral improvement of man is of importance infinitely higher. The former may render us more wise, more learned; but by the latter we shall become more virtuous, more happy. It is the sacred duty of all to unite in this illustrious cause, and of each to act well his part, in the interesting theatre. This view of the condition of man imposes the obligation to rescue him from every calamity that we possibly can, to meliorate his general condition, by securing that independence and freedom inviolate, which ought never to be forfeited by any other than criminal considerations. If we refuse this service, we unite with the enemies of our species. We cherish the spirit of the Holy Alliance itself and invigorate the arm of the monarchs and tyrants of the earth, who have formed a most diabolical association for the purpose of degrading the human character, and binding the oppressed with everlasting chains.

The formidable combination to which I allude, has already become almost invincible. It has navies and armies at its command; all the privileged orders are worshipping this beast; emissaries and informers, false accusers, superstitious rites, religious bigotry, prisons, dungeons, tortures, all the instruments of cruelty which gold and silver can supply, are levied into its service. The system of imprisonment for debt constitutes a part of this formidable array against liberal principles and the rights of man. By the omission of our duty, we advance the system which we profess to condemn.

Human character is susceptible of high elevation.—This fact, the page of history abundantly illustrates. The public laws should have a direct tendency to encourage and reward virtue and honor: to make every citizen proud of being an American. Sustain his dignity, and you will find he will fly to the hottest post of danger, in the defence of his country. His scars will be his pride. The approbation of an enlightened and generous public will be esteemed infinitely more honorable than Isthmean or Olympian wreaths. Our progress in the science of morals and in the science of government, has been splendid; but

I ask, sir, have we arrived at that perfection that should make us content to be stationary? I am no friend to airy speculations, to schemes that are visionary; but I wish the reform of abuses, the correction of erroneous principles, which still remain a part of our political institutions.—Philosophers and statesmen have denounced imprisonment for debt. They have declared the measure unnatural and barbarous; yet the principles of freedom have not been able to destroy it. The rich are too strong for the poor—the nobility for the yeomanry. The system is, in a small degree, relaxed in our happy land, yet its form continues hideous. It is still a whirlwind, bringing desolation in its train.

But, it will be told us, sir, that the accomplishment of our wishes will be the destruction of credit. Let me demand of the objector, whether this can be a misfortune? Happy is that country where credit is restrained, where its basis is personal confidence in moral, worth and the integrity of virtue. Honorable industry would then be universally pursued; nations would never become insolvent, and misfortune would enjoy a broad and glorious shield. Abolish the infamous system; set bounds to the eagerness of speculations; and a most happy change will be produced. Of all the miseries which can exist in free states, the inordinate passion for wealth is the most alarming. Entirely to check it, might be impossible, lest the spirit of enterprise become subdued. Yet nothing is so dangerous and hostile to the liberties of society, as to place, for a moment, the personal freedom of one citizen at the discretion of another. Such conduct is the disgrace of legislation. It is alike unnecessary, unwise, unrighteous.

In the criminal code, a radical change has been effected. Experience has demonstrated, that severity and cruelty prevent not the perpetration of crime; and that the substitution of mildness, in punishment, produces the most efficacious results. The sanguinary code of Draco prepared the way for the humane laws of Solon. Instead of the horrid catalogue of crimes in England, two hundred of which are punished with death, we have substituted the gentler system of solitary confinement, of hard labor for

a term of years, while capital punishment, in some of the states is restricted to murder of the first degree, and in others, about to be totally abolished. The wisdom of the measure is unquestionable. The progress of intellect and experience is producing an entire change in the character and condition of man.

In place of the ridiculous ordeal of fire and water, we have an honorable trial by jury. Changes in the civil code have been no less remarkable. Excepting the relic of barbarism, which, I trust, the exalted sense and humane feeling of the House will forever banish from our Union, we may be said to have revived the golden age. On the question before us, the voice of the people demands respect. Their sentiment is unanimous. But for the hesitation of legislators, it would be banished eternally from our statute books. Some of our states have, by their own acts, testified their deliberate sentiment on the subject. Kentucky and North Carolina have led the way, and others will assuredly follow. Let the public voice of the National Council be heard on the subject, and the wilderness will suddenly be transformed into a fruitful field.

It has been urged, as a reason for not acting, that the jurisdiction of the Federal Courts is extremely limited.— The District Court may take cognizance of all cases above five hundred dollars, without any condition, and even of smaller sums, provided the plaintiff will pay the cost of suit. In the West, this practice prevails. The District Courts have charge of all cases of admiralty and maritime jurisdiction, and in these they proceed, according to the laws of foreign courts, without regard to the execution laws of the state in which the court is located. Here, without trial by jury, the personal liberty of the citizen is subject to the process of the court. The District Court, besides, constitutes our Court of Exchequer, and has cognizance of all revenue bonds, and various other demands against individuals, arising from the several departments of government.

But it has been said, that the courts of the United States are governed by the execution laws of each separate state. This, sir, is a mistake. The act of Congress pa-

1789, declares "that the court of the United States shall adopt the execution laws, now used or allowed in the supreme court of the state in which the federal court is located," and, to this day, the principle is not settled. Upon it the most learned counsel are divided, "whether the laws for the time being or those instituted in 1789, should govern." If the laws of 1789, then we should have the Virginia code of executions in Kentucky, which gives the people superior protection and more substantial succour than our present relief system, which has been so much declaimed against by gentlemen who have not permitted themselves to become acquainted with its real principles. By the laws of Virginia in 1789, not only was land exempt from legal process, but personal estate could not be sold for less than three-fourths of its absolute value. As to proceedings in chancery, it has been decided that decrees exposing property to sale, as executions at common law, are not subject to the state execution law. This is the precise condition in which we are placed respecting our courts of justice, and proceedings in civil cases. So much confusion is created that no man can ascertain what is really the law of the land. When we bring this subject before congress, we are told that the execution laws of the state govern the proceedings of the United States' court within the respective states. Strange as it may appear, notwithstanding the state of Kentucky has abolished imprisonment for debt, and with it bail upon mesne process, the court of the United States requires this very bail, by rule of court, under a legislative power given them by congress, and the clerk issues, the ca. sa. to seize the body of a debtor. The same difficulty exists as to taking the benefit of the insolvent law of the state where the court is held. Procrastinations of the most troublesome character are occasioned. When the oath of insolvency is administered, the party is not called upon to present a schedule of property, he has to depose that he has not estate to the amount of thirty dollars. The act of congress also declares that where the laws of the state authorize the ca. sa. among other executions, it may be taken out by the creditor first giving evidence of a total

disregard of the liberty and personal security of the debtor. Suppose the creditor take the ca. sa. in the first place, and the debtor cannot swear that he has not thirty dollars worth of property, the consequence is, if the creditor wills it—and who ought to trust him?—PERPETUAL IMPRISONMENT.

It would constitute something like an apology for the advocates of imprisonment for debt, were some discrimination used relative to the conduct of a debtor, that he might be treated in a manner corresponding with the ideas of culpability which themselves might affix. There can be no difficulty in forming a scale of offence and punishment, at least in the contemplation of the mind, although I have no idea that you can reduce the scheme to useful practice. Fraudulent conveyance or concealment of property, luxurious extravagance, indolent habits, neglect of economy—these constitute the proper gradations in the shade of moral guilt. If gentlemen can define and punish such grades of offence, why not attempt it? Need I tell you, sir, that no effort of this nature has been employed. The besom of despotism alike sweeps before it the pearl and the pebble. The honest man and the scoundrel are sacrificed without distinction. If the friends of the vindictive system wish that innocence be protected, and only crime chastised, why not propose that, previous to holding a debtor to bail upon mesne process, the plaintiff shall give pledges of prosecution and sureties, that he has not instituted a suit with malicious intent and upon groundless accusation. Let his affidavit be demanded as to the cause of his action, one of three allegations at least, before he be allowed to require bail: that the debtor has been guilty of fraud in the original transaction by which he became indebted, or that there is danger of his absconding, or that he is about to make a fraudulent concealment or a fraudulent conveyance of his property.—This would appear like justice in the proceeding. It would require something to be accomplished by the creditor before he laid violent hands on his victim. It would make him reflect, if it did not humanize his feelings.

It is difficult to conceive, upon what principle the insti-

prisoning system rests for its support. It is not a punishment for crimes. If so, it would violate, and, in fact, does violate, all the legal forms and constitutional safeguards of the liberty of a citizen. Its operation is not simply coercive. Unquestionably, the honorable man will present his goods and chattles. He will bid you take them all, and regret that he has no more. But the dishonest will contrive to place your proceedings at defiance. It cannot arise from an implied agreement between the parties, that, in case of failure, the debtor shall be imprisoned. Such a stipulation, whether expressed or implied, must, in law and conscience, be null and void.—It cannot satisfy the debt. It may afford gratification to malignant propensities, to a vindictive disposition, to infernal feelings—but, after all, *the pound of flesh* cannot satisfy the bond. The whole, like Sin, in Milton, bringing forth death, is the offspring of that gloomy temper which delight to riot upon the vitals of human rights and human happiness.

EXTRACT FROM THE MESSAGE

OF

GOVERNOR WOLCOTT;

On affording pro ection to American Manufactures;

DELIVERED TO THE GENERAL ASSEMBLY OF CONNECTICUT MAY, 1824.

The great political error of our country, consists in not perceiving the superior advantages of a *domestic* over a *foreign* market. By a domestic market, I mean one which is subject to the control of *American* interests and policy. The more this position is examined, by every test by which truth can be elicited, the more satisfactory will the demonstration appear.

It is not for the purpose of uttering a paradox, but to invite public attention to a grave and highly important truth, that I declare my sincere conviction that the cotton planters in the southern states, are more directly interested in the rapid extension of American manufactures of this article, than any other interest in our country.

Cotton is by far the most valuable of our exports, and the best support of our navigation. While it was unmanufactured, it is nearly worthless;—when it has been converted into fabricks, it is refused from us in most European countries. The best market is in England, which commands the most extensive distribution of manufactures. This material has already become so abundant, as to be a dangerous article of speculation to mere merchants, and is principally regarded by ship owners and navigators, as an article of freight, the rates of which are declining to the lowest terms. Cotton is produced from an animal plant, which is rapidly extending over thirty five degrees

of latitude on each side of the equator; and with the a of our inventions, it is prepared for market, by the rude laborers. An abundant supply for the demands of t world, must soon be furnished, when the market pric will be regulated by the very moderate expenses of su porting the life of degraded men in mild climates.

If, as I believe, these facts are undeniable, they demo strate that it is the interest of planters and navigators, unite with the manufacturers in giving an additional val to the cotton of the United States, by converting it in fabrics, not only for domestic use but for a widely dive sified foreign commerce, in competition with the skill a industry of Europe, thereby affording another illustrati of the various relations which subsist between agricultur commerce and manufactures. No class of agriculturalis can be oppressed by domestic combinations against the particular interest, while a wise constitutional inhibiti exists, against duties on exports, which must always s cure the best prices which can be obtained in *foreign* ma kets. Combinations against laborers, must be unsuccessf in a country possessed of an almost boundless territor where no privileged orders are recognized, and whe every freeman is suffered to elect or to renounce his pr fession. It would be absurd to imagine, that merchan can be injured by increasing the quantities, varieties, a value of vendable commodities. The public revenue ca not be diminished by measures which increase the valu of *exports*, by which the *imports* of every country a equalized, and because we see that the revenue is in fa increasing in the vicinity of those places, where manufa tures are most firmly established.

The present condition of the United States is very pec liar:—we import wool, leather, and tallow, which ough to be supplied by our flocks and herds:—we import iro and other minerals, while the same materials are restin in our mountains, by the sides of our great navigable r vers. The occupations of our hardy and patient fishe men, whose farms are on the ocean, are oppressed by th industry of foreign rivals.—By the auction system, and b abuses of credit, the merchants in our cities are impove

bed and rendered dependent;—the circulation of small otes, which are substituted for gold and silver coins, is npairing the security of all funded property, and extend- g poverty throughout the land. Our improved roads d canals, and even the sublime invention of vessels oved by steam, have, by the omission to impart a wise irection to our national industry, been converted into so any exhausting conductors of our resources to Europe. Ve hear Great Britain declaring that her revenue is in- reasing, her debts diminishing, and her people enjoying heerful prosperity. Agriculture, manufactures, and com- erce are the basis of her wealth and power,—she im- orts no food, except during periods of scarcity, and then nly under temporary regulation, limited by pressing ecessities; she exports no native materials, of which the alue can be increased by the labor or skill of her people; er exports chiefly consist of articles which have acquired at form and polish, which best adapt them to a lucrative ommerce; while her imports are those materials, in their udest forms, which are susceptible of transformations, by eans of skill and industry, into new fabrics for exporta- ion;—she wastes as little capital as possible, upon articles f foreign growth, which are intended for domestic con- umption; and upon these, she levies the greatest taxes: he is now proposing new regulations, coinciding with n established policy, which will still more reduce the pri- es of some kinds of manufactures, and consequently mpose additional discouragements upon similar articles, when manufactured in other countries. We have no right o complain of such regulations, which are both wise and ust, when viewed in relation to British interest and pol- cy, though they are unquestionably impoverishing to very nation, whose arts are existing in an inferior degree f improvement.

But considering the grade at which the United States ave arrived, we must express our disappointment, that n American statesman should recommend *submission* to his policy. We might consent to an exchange of *all the productions of the two countries*, on equal terms;—but merely to equalize the *carrying trade* leaving exclusively

to one party to select such objects of commerce as favor their own views, would be the most adverse to equality of any principle which can be imagined, and in fact *render our navigation wholly subservient to foreign interests. In our case, countervailing regulations are the only possible means of preserving that equality which is desirable.* The opposite course bends directly to a partial re-colonization with Great Britain: and the most plausible suggestion which I have heard in support of this doctrine, is, that taxes on *foreign productions*, are so many burdens on *American consumers*.

The proofs that all such opinions are fallacious, are apparent and undeniable. The partial encouragements which have been afforded to American manufactures of wool, cotton, iron, leather, wood, and paper, have so reduced the *prices for consumption*, that they are now lower than they were before any duties were imposed, and considerable quantities of each article *are now exported, as articles of commerce*, without any stimulation from bounties. We owe it to the interests of our country and mankind, to maintain the ground that has been acquired, and not to be vanquished in the race of national improvement, in which we have so far succeeded. Nothing more has been requested, or is necessary, than to *provide means of resisting new devices and improvements of European policy and ingenuity, to which American preparations and skill are now amply adequate, if a fair participation of the markets in this country, can be secured.*

SPEECH

OF

MR. WEBSTER,

ON THE GREEK REVOLUTION.

On the 8th December, 1823, Mr. Webster presented, in the House of Representatives, the following resolution:

"*Resolved*, That provisions ought to be made, by law, for defraying the expense incident to the appointment of an Agent or Commissioner to Greece, whenever the President shall deem it expedient to make such appointment."

The House having on the 19th of January, resolved itself into a committee of the whole, and this resolution being taken into consideration, Mr. Webster spoke to the following effect:

MR. CHAIRMAN,

I am afraid, that, so far as my part in this discussion is concerned, those expectations which the public excitement, existing on the subject, and certain associations, easily connected with it, have conspired to raise, may be disappointed. An occasion which calls the attention to a spot, so distinguished, so connected with interesting recollections, as Greece, may naturally excite something of warmth and enthusiasm. In a grave, political discussion, however it is necessary that that feeling should be chastised. I shall endeavor properly to repress it, although it is impossible that it should be altogether extinguished. We must, indeed, fly beyond the civilized world, we must pass the dominion of law, and the boundaries of knowledge; we must, more especially, withdraw ourselves from this place, and the scenes which here surround us, if we would separate ourselves, altogether, from the influence

of all those memorials of herself which ancient Greece has transmitted for the admiration, and the benefit, of mankind. This free form of government, this popular assembly, the common council, held for the common good, where have we contemplated its earliest models? This practice of free debate, and public discussion, the contest of mind with mind, and that popular eloquence, which, if it were now here, on a subject like this, would move the stones of the capitol, whose was the language in which all these were first exhibited? Even the edifice in which we assemble, these proportioned columns, this ornamented architecture, all remind us that Greece has existed, and that we, like the rest of mankind, are generally her debtors. But I have not introduced this motion in the vain hope of discharging any thing of this accumulated debt of centuries. I have not acted upon the expectation, that we who have inherited this obligation from our ancestors, should now attempt to pay it, to those who may seem to have inherited, from *their* ancestors, a right to receive payment. My object is nearer and more immediate. I wish to take occasion of the struggle of an interesting and gallant people, in the cause of liberty and christianity, to draw the attention of the house to the circumstances which have accompanied that struggle, and to the principles which appear to have governed the conduct of the great states of Europe, in regard to it; and to the effects and consequences of these principles, upon the independence of nations, and especially upon the institutions of free governments. What I have to say of Greece, therefore, concerns the modern, not the ancient; the living, not the dead. It regards her, not as she exists in history, triumphant over time, and tyranny, and ignorance; but as she now is, contending against fearful odds, for being, and for the common privilege of human nature.

As it is never difficult to recite common place remarks, and trite aphorisms; so it may be easy, I am aware, on this occasion, to remind me of the wisdom which dictates to men a care of their own affairs, and admonishes them, instead of searching for adventures abroad, to leave other men's concerns in their own hands. It may be easy to call this

resolution *Quixotic*, the emanation of a crusading or propagandist spirit. All this, and more, may be readily said: but all this, and more, will not be allowed to fix a character upon this proceeding, until that is proved, which it takes for granted. Let it first be *shown*, that in this question, there is nothing which can affect the interest, the character, or the duty of this country. Let it be proved, that we are not called upon, by either of these considerations, to express an opinion on the subject to which the resolution relates. Let this be proved, and then it will, indeed, be made out, that neither ought this resolution to pass, nor ought the subject of it to have been mentioned in the communication of the President to us. But, in my opinion, this cannot be shown. In my judgment, the subject is interesting to the people and the government of this country, and we are called upon, by considerations of great weight and moment, to express our opinions upon it.—These considerations, I think, sprang from a sense of our own duty, our character, and our own interest. I wish to treat the subject on such grounds, exclusively, as are truly *American;* but then, in considering it as an American question, I cannot forget the age in which we live, the prevaling spirit of the age, the interesting questions which agitate it, and our own peculiar relation, in regard to these interesting questions. Let this be, then, as far as I am concerned, I hope it will be, purely an American discussion; but let it embrace nevertheless every thing, that fairly concerns America; let it comprehend, not merely her present advantage, but her permanent interest, her elevated character, as one of the free states of the world, and her duty towards those great principles, which have hitherto maintained the relative independence of nations, and which have, more especially, made her what she is.

At the commencement of the session, the President, in the discharge of the high duties of his office, called our attention to the subject, to which this resolution refers. "A strong hope," says that communication, "has been long entertained, founded on the heroic struggle of the Greeks, that they would succeed in their contest, and resume their equal station among the nations of the earth.

It is believed that the whole civilized world takes a deep interest in their welfare. Although no power has declared in their favor, yet none, according to our information, has taken part against them. Their cause and their name, have protected them from dangers, which might, ere this, have overwhelmed any other people. The ordinary calculations of interest, and of acquisition with a view to aggrandizement, which mingle so much in the transactions of nations, seem to have no effect in regard to them.—From the facts which have come to our knowledge, there is good cause to believe that their enemy has lost, forever, all dominion over them: that Greece will become again an independent nation."

It has appeared to me, that the house should adopt some resolution, reciprocating these sentiments, so far as it should approve them. More than twenty years have elapsed, since congress first ceased to receive such a communication from the president, as could probably be made the subject of a general answer. I do not mean to find fault with this relinquishment of a former, and ancient practice. It may have been attended with inconveniences which justified its abolition. But, certainly, there was one advantage belonging to it; and that is, that it furnished a fit opportunity for the expression of the opinion of the house of congress, upon those topics in the executive communication, which were not expected to be made the immediate subjects of direct legislation. Since, therefore, the president's message does not now receive a general answer, it has seemed to me to be proper, that in some mode agreeable to our own usual form of proceeding, we should express our sentiments upon the important and interesting topics on which it treats.

If the sentiments of the message in respect to Greece be proper, it is equally proper that this house should reciprocate those sentiments. The present resolution is designated to have that extent, and no more. If it pass, it will leave any future proceeding where it now is, in the discretion of the executive government. It is but an expression, under those forms in which the house is accustomed to act, of the satisfaction of the house with the

general sentiments expressed in regard to this subject in the message, and of its readiness to defray the expense incident to any inquiry for the purpose of further information, or any other agency with the president, in his discretion, shall see fit, in whatever manner, and whatever time, to institute. The whole matter is still left in his judgment, and this resolution can in no way restrain its unlimited exercise.

I might well, Mr. Chairman, avoid the responsibility of this measure, if it had, in my judgment, any tendency to change the policy of the country. With the general course of that policy, I am quite satisfied. The nation is prosperous, peaceful, and happy; and I shall very reluctantly put its peace, prosperity, or happiness, at risk. It appears to me, however, that this resolution is strictly conformable to our general policy, and not only consistent with our interests, but even demanded by a large and liberal view of those interests.

It is certainly true, that the just policy of this country, is, in the first place, a peaceful policy. No nation ever had less to expect from forcible aggrandizement. The mighty agents which are working out our greatness, are time, industry, and the arts. Our augmentation is by growth, not by acquisition; by internal developement, not by external accession. No schemes can be suggested to us, so magnificent as the prospects which a sober contemplation of our own condition, unaided by projects, uninfluenced by ambition, fairly spreads before us. A country of such vast extent, with such varieties of soil and climate; with so much public spirit and private enterprise; with a population increasing so much beyond former examples, with capacities of improvement not only unapplied or unexhausted, but even, in a great measure, as yet, unexplored; so free in its institutions, so mild in its laws, so secure in the title it confers on every man to his own acquisitions; needs nothing but time and peace to carry it forward to almost any point of advancement.

In the next place, I take it for granted, that the policy of this country, springing from the nature of our government, and the spirit of all our institutions, is, so far as it

respects the interesting questions which agitate the present age, on the side of liberal and enlightened sentiments. The age is extraordinary; the spirit that actuates it, is peculiar and marked; and our own relation to the times we live in, and to the questions which interest them, is equally marked and peculiar. We are placed, by our good fortune, and the wisdom and valor of our ancestors, in a condition in which we *can* act no obscure part. Be it for honor, or be it for dishonor, whatever we do, is not likely to escape the observation of the world. As one of the free states among the nations, as a great and rapidly rising republic, it would be impossible for us, if we were so disposed, to prevent our principles, our sentiments, and our example, from producing some effect upon the opinions and hopes of society throughout the civilized world. It rests probably with ourselves to determine, whether the influence of these shall be salutary or pernicious.

It cannot be denied that the great political question of this age, is, that between absolute and regulated governments. The substance of the controversy is, whether society shall have any part in its own government.—Whether the form of government shall be that of limited monarchy, with more or less mixture of hereditary power, or wholly elective, or representative, may perhaps be considered as subordinate. The main controversy is between that absolute rule, which, while it promises to govern well, means nevertheless to govern without control, and that regulated or constitutional system, which restrains sovereign discretion, and asserts that society may claim, as matter of right, some effective power in the establishment of the laws which are to regulate it. The spirit of the times sets with a most powerful current, in favor of these last mentioned opinions. It is opposed, however, whenever and wherever it shows itself, by certain of the great potentates of Europe; and it is opposed on grounds as applicable in one civilized nation as in another, and which would justify such opposition in relation to the United States, as well as in relation to any other state, or nation, if time and circumstances should render such opposition expedient.

What part it becomes this country to take on a question of this sort, so far as it is called upon to take any part, cannot be doubtful. Our side of this question is settled for us, even without our own volition. Our history, our situation, our character, necessarily decide our position and our course, before we have even time to ask whether we have an option. Our place is on the side of free institutions. From the earliest settlement of these states, their inhabitants were accustomed, in greater or less degree, to the enjoyment of the powers of self-government; and for the last half century, they have sustained systems of government entirely representative, yielding to themselves the greatest possible prosperity, and not leaving them without distinction and respect among the nations of the earth. This system we are not likely to abandon; and while we shall no further recommend its adoption to other nations, in whole or in part, than it may recommend itself by its visible influence on our own growth and prosperity, we are nevertheless, interested, to resist the establishment of doctrines which deny the legality of its foundations.—We stand as an equal among nations, claiming the full benefit of the established international law; and it is our duty to oppose, from the earliest to the latest moment, any innovations upon that code, which shall bring into doubt or question our own equal and independent rights.

I will now, Mr. Chairman, advert to those pretensions, put forth by the Allied Sovereigns of continental Europe, which seem to me calculated, if unresisted, to bring into disrepute the principles of our government, and indeed to be wholly incompatible with any degree of national independence. I do not introduce these considerations for the sake of topics. I am not about to declaim against crowned heads, nor to quarrel with any country for preferring a form of government different from our own. The choice that we exercise for ourselves, I am quite willing to leave also to others. But it appears to me that the pretensions of which I have spoken, are wholly inconsistent with the independence of nations generally, without regard to the question, whether their governments be absolute, monarchical and limited, or purely popular and representative.

"If one engage to serve another, he does not set it down expressly and particularly among the terms and condition of the bargain, that he will not betray nor murder him nor pillage nor burn his house. For the same reason, *that* would be a dishonorable engagement, in which men should bind themselves to act properly and decently, and not break the peace."*

Such were the sentiments of that eminent writer. How nearly he anticipated the case of the Holy Alliance, will appear from comparing his observations with the preamble to that alliance, which is as follows:

"In the name of the most Holy and Indivisible Trinity their Majesties the Emperor of Austria, the king of Prussia, and the Emperor of Russia,"—"solemnly declare that the present act has no other object than to publish, in the face of the whole world, their fixed resolution, both in the administration of their respective states, and in their political relations with every other government, to take for their sole guide the precepts of that holy religion, namely the precepts of justice, christian charity, and peace, which far from being applicable only to private concerns, must have an immediate influence on the councils of princes, and guide all their steps, as being the only means of consolidating human institutions, and remedying their imperfections."

This measure, however, appears principally important as it was the first of a series, and was followed afterward by others of a more direct and practical nature. These measures, taken together, profess to establish two principles, which the allied powers would enforce as a part of the law of the civilized world, and the enforcement of which is menaced by a million and a half of bayonets.

The first of these principles, is that all popular, or constitutional rights, are holden no otherwise than as grants from the crown. Society upon this principle, has no rights of its own; it takes good government, when he gets it, as a boon and a concession, but can demand nothing. It is to live in that favor which emanates from royal authority, and if it have the misfortune to lose that favor, there is nothing

*Book 2, cap. 3.

o protect it against any degree of injustice and oppression. t can rightly make no endeavor for a change, by itself; ts whole privilege is to receive the favors that may be ispensed by the sovereign power, and all its duty is described in the single word, *submission*. This is the plain esult of the principal continental state papers; indeed it s nearly the identical text of some of them.

The Laybach circular of May 1824, alleges, "that useful nd necessary changes in legislation and administration, ought only to emanate from the free will and intelligent conviction of those whom God has rendered responsible for power; all that deviates from this line necessarily leads to disorder, commotions, and evils, far more insufferable than those which they pretend to remedy."* Now, sir, this principle would carry Europe back again, at once, into the middle of the dark ages. It is the old doctrine of the divine right of kings, advanced now, by new advocates, and sustained by a formidable mass of power. That the people hold their fundamental privileges, as matter of *concession*, or *indulgence*, from the sovereign power, is a sentiment not easy to diffuse in this age, any farther than it is enforced by the direct operation of military means. It is true, certainly, that some six centuries ago, the early founders of English liberty called the instrument which secured their rights a *character;* it was, indeed, a concession; they had obtained it, sword in hand, from the king; and, in many other cases, whatever was obtained, favorable to human rights, from the tyranny and despotism of the feudal sovereigns, was called by the names of *privileges* and *liberties*, as being matter of special favor. And, though we retain this *language* at the present time, the principle itself belongs to ages that have long passed by us. The civilized world has done with the enormous faith of many made for one. Society asserts its own rights, and alleges them to be original, sacred, and unalienable. It is not satisfied with having kind masters; it demands a participation in its own government: and, in states much advanced in civilization, it urges this demand with a constancy and an energy, that cannot well, nor long, be resisted. There are, happily,

*Annual Register, for 1821.

I have a most deep and thorough conviction, that a new era has arisen in the world, that new and dangerous combinations are taking place, promulgating doctrines, and fraught with consequences, wholly subversive, in their tendency, of the public law of nations, and of the general liberties of mankind. Whether this be so, or not, is the question which I now propose to examine, upon such grounds of information, as the common and public means of knowledge disclose.

Every body knows that, since the final restoration of the Bourbons to the throne of France, the continental powers have entered into sundry alliances, which have been made public, and have held several meetings or congresses, at which the principles of their political conduct have been declared. These things must necessarily have an effect upon the international law of the states of the world. If that effect be good, and according to the principles of that law, they deserve to be applauded. If, on the contrary, their effect and tendency be most dangerous, their principles wholly inadmissible, their pretensions such as would abolish every degree of national independence, then they are to be resisted.

I begin, Mr. Chairman, by drawing your attention to the treaty, concluded at Paris in September, 1815, between Russia, Prussia, and Austria, commonly called the Holy Alliance. This singular alliance appears to have originated with the Emperor of Russia; for we are informed that a draft of it was exhibited by him, personally, to a plenipotentiary of one of the greatest powers of Europe, before it was presented to the other sovereigns who ultimately signed it.* This instrument professes nothing, certainly, which is not extremely commendable and praiseworthy. It promises only that the contracting parties, both in relation to other states, and in regard to their own subjects, will observe the rules of justice and christianity. In confirmation of these promises, it makes the most solemn and devout religious invocations. Now, although such an al-

*Vide Lord Castlereagh's Speech in the House of Commons, February 3, 1816. Debates in Parliament, vol. 36, page 556; where also the Treaty may be found at length.

liance is a novelty in European history, the world seems to have received this treaty, upon its first promulgation, with general charity. It was commonly understood as little or nothing more than an expression of thanks for the successful termination of the momentous contest, in which those sovereigns had been engaged. It still seems somewhat unaccountable, however, that these good resolutions should require to be confirmed by treaty. Who doubted that these august sovereigns would treat each other with justice, and rule their own subjects in mercy? And what necessity was there, for a solemn stipulation by treaty, to ensure the performance of that, which is no more than the ordinary duty of every government? It would hardly be admitted by these sovereigns, that, by this compact, they suppose themselves bound to introduce an entire change, or any change, in the course of their own conduct. Nothing substantially new, certainly, can be supposed to have been intended. What principle, or what practice, therefore, called for this solemn declaration of the intention of the parties to observe the rules of religion and justice?

It is not a little remarkable, that a writer of reputation upon the public law, described, many years ago, not inaccurately, the character of this alliance; I allude to Puffendorff. "It seems useless," says he, "to frame any pacts or leagues, barely for the defence and support of universal peace; for by such a league, nothing is superadded to the obligation of natural law, and no agreement is made for the performance of any thing, which the parties were not previously bound to perform; nor is the original obligation rendered firmer or stronger by such an addition. Men of any tolerable culture and civilization, might well be ashamed of entering into any such compact, the conditions of which imply only that the parties concerned shall not offend in any clear point of duty. Besides, we should be guilty of great irreverence towards God, should we suppose that his injunctions had not already laid a sufficient obligation upon us, to act justly, unless we ourselves voluntarily consented to the same engagement: as if our obligation to obey his will, depended upon our own pleasure.

enough of regulated governments in the world, and those among the most distinguished, to operate as constant examples, and to keep alive an unceasing panting in the bosoms of men, for the enjoyment of similar free institutions.

When the English revolution of 1688 took place, the English people did not content themselves with the example of Runnymede; they did not build their hopes upon royal charters; they did not, like the Labach circular, suppose that all useful changes in the constitutions and laws must proceed from those only whom God has rendered responsible for power. They were somewhat better instructed in the principles of civil liberty, or at least they were better lovers of those principles, than the sovereigns of Laybach. Instead of petitioning for charters, they *declared* their rights, and, while they offered to the family of Orange the crown with one hand, they held in the other an enumeration of those privileges which they did not profess to hold as favors, but which they *demanded* and *insisted upon*, as their undoubted rights.

I need not stop to observe, Mr. Chairman, how totally hostile are these doctrines of Laybach, to the fundamental principles of *our* government. They are in direct contradiction: the principles of good and evil are hardly more opposite. If these principles of the sovereigns be true, we are but in a state of rebellion, or of anarchy, and are only tolerated among civilized states, because it has not yet been convenient to conform us to the true standard.

But the second, and, if possible, the still more objectionable principle, avowed in these papers, is the right of forcible interference in the affairs of other states. A right to control nations in their desire to change their own government, wherever it may be conjectured, or pretended, that such change might furnish an *example* to the subjects of other states, is plainly and distinctly asserted. The same congress that made the declaration at Laybach, had declared, before its removal from Troppau, "that the powers have an undoubted right to take a hostile attitude in regard to those states in which the overthrow of the government may operate as an example."

There cannot, as I think, be conceived a more flagrant violation of public law, or national independence, than is contained in this declaration.

No matter what be the character of the government resisted; no matter with what weight the foot of the oppressor bears on the neck of the oppressed; if he struggle, or if he complain, he sets a dangerous example of resistance,—and from that moment he becomes an object of hostility to the most powerful potentates of the earth. I want words to express my abhorrence of this abominable principle. I trust every enlightened man throughout the world will oppose it, and that, especially, those who like ourselves are fortunately out of the reach of the bayonets that enforce it, will proclaim their detestation of it, in a tone both loud and decisive. The avowed object of such declarations is to preserve the peace of the world. But by what means is it proposed to preserve this peace? Simply, by bringing the power of all governments to bear against all subjects. Here is to be established a sort of double, or treble, or quadruple, or, for aught I know, a quintuple allegiance. An offence against one king is to be an offence against all kings, and the power of all is to be put forth for the punishment of the offender. A right to interfere in extreme cases, in the case of contiguous states, and where imminent danger is threatened to one by what is transpiring in another, is not without precedent in modern times, upon what has been called the law of vicinage; and when confined to extreme cases, and limited to a certain extent, it may perhaps be defended upon principles of necessity and self-defence. But to maintain that sovereigns may go to war upon the subjects of another state to *repress an example*, is monstrous indeed. What is to be the limit to such a principle, or to the practice growing out of it? What, in any case, but sovereign pleasure is to decide whether the example be good or bad? And what, under the operation of such rule, may be thought of OUR *example?* Why are we not as fair objects for the operation of the new principle, as any of those who may attempt to reform the condition of their government, on the other side of the Atlantic?

The ultimate effect of this alliance of sovereigns, for ob-

jects personal to themselves, or respecting only the permanence of their own power, must be the destruction of all just feeling, and all natural sympathy, between those who exercise the power of government and those who are subject to it. The old channels of mutual regard and confidence are to be dried up, or cut off. Obedience can now be expected no longer than it is enforced. Instead of relying on the affections of the governed, sovereigns are to rely on the affections and friendship of other sovereigns. There are, in short, no longer to be nations. Princes and people no longer are to unite for interests common to them both. There is to be an end of all patriotism, as a distinct national feeling. Society is to be divided horizontally; all sovereigns above, and all subjects below; the former coalescing for their own security, and for the more certain subjection of the undistinguished multitude beneath. This, Sir, is no picture, drawn by imagination. I have hardly used language stronger than that in which the authors of this new system have commented on their own work. Mr. Chateaubriand, in his speech in the French Chamber of Deputies, in February last, declared, that he had a conference with the Emperor of Russia at Verona, in which that august sovereign uttered sentiments which appeared to him so precious, that he immediately hastened home, and wrote them down while yet fresh in his recollection. "*The Emperor declared,*" said he, "*that there can no longer be such a thing as an English, French, Russian, Prussian, or Austrian policy: there is henceforth but one policy, which, for the safety of all, should be adopted both by people and kings. It was for me first to show myself convinced of the principles upon which I founded the alliance; an occasion offered itself; the rising in Greece. Nothing certainly could occur more for my interests, for the interests, of my people; nothing more acceptable to my country, than a religious war in Turkey: but I have thought I perceived in the troubles of the Morea, the sign of revolution, and I have held back. Providence has not put under my command* 800,000 *soldiers, to satisfy my ambition, but to protect religion, morality, and justice, and to secure the prevalence of those principles of order on which human society rests. It may well be*

permitted that kings may have public alliances to defend themselves against secret enemies."

These, Sir, are the words which the French minister thought so important as that they deserved to be recorded; and I, too, Sir, am of the same opinion. But, if it be true that there is hereafter to be neither a Russian policy, nor a Prussian policy, nor an Austrian policy, nor a French policy, nor even, which yet I will not believe, an English policy; there will be, I trust in God, an *American* policy. If the authority of all these governments be hereafter to be mixed and blended, and to flow in one augmented current of prerogative, over the face of Europe, sweeping away all resistance in its course, it will yet remain for us to secure our own happiness, by the preservation of our own principles; which I hope we shall have the manliness to express on all proper occasions, and the spirit to defend in every extremity. The end and scope of this amalgamated policy is neither more nor less than this:—to interfere by force, for any government, against any people who may resist it. Be the state of the people what it may, they shall not rise; be the government what it will, it shall not be opposed. The practical commentary has corresponded with the plain language of the text. Look at Spain, and at Greece. If men may not resist the Spanish inquisition, and the Turkish scimitar, what is there to which humanity must not submit? Stronger cases can never arise. Is it not proper for us, at all times—is it not our duty, at this time, to come forth, and deny, and condemn, these monstrous principles. Where, but here, and in one other place, are they likely to be resisted? They are advanced with equal coolness and boldness; and they are supported by immense power. The timid will shrink and give way—and many of the brave may be compelled to yield to force. Human liberty may yet, perhaps, be obliged to repose its principal hopes on the intelligence and the vigour of the Saxon race. As far as depends on us, at least, I trust those hopes will not be disappointed; and that, to the extent which may consist with our own settled, pacific policy, our opinions and sentiments may be brought to act, on the right side, and to the right end, on an occasion which is, in truth, nothing less

than a momentous question between an intelligent age, full of knowledge, thirsting for improvement, and quickened by a thousand impulses, and the most arbitrary pretensions, sustained by unprecedented power.

This asserted right of forcible intervention, in the affairs of other nations, is in open violation of the public law of the world. Who has authorized these learned doctors of Troppeau, to establish new articles in this code? Whence are their diplomas? Is the whole world expected to acquiesce in principles, which entirely subvert the independence of nations? On the basis of this independence has been reared the beautiful fabric of international law. On the principle of this independence, Europe has seen a family of nations, flourishing within its limits, the small among the large, protected not always by power, but by a principle above power, by a sense of propriety and justice. On this principle the great commonwealth of civilized states has been hitherto upheld. There have been occasional departures, or violations, and always disastrous, as in the case of Poland; but, in general, the harmony of the system has been wonderfully preserved. In the production and preservation of this sense of justice, this predominating principle, the christian religion has acted a main part. Christianity and civilization have labored together; it seems, indeed, to be a law of our human condition, that they can live and flourish only together. From their blended influence has arisen that delightful spectacle of the prevalence of reason and principle, over power and interest, so well described by one who was an honor to the age—

> "And sovereign *Law*, the *world's* collected will,
> O'er thrones and globes elate,
> Sits Empress—crowning good, repressing ill:
> Smit by her sacred frown,
> The fiend, *Discretion*, like a vapor sinks,
> And e'en the all-dazzling crown
> Hides his faint rays, and at her bidding shrinks."

But this vision is past. While the teachers of Laybach give the rule, there will be no law but the law of the strongest.

It may now be required of me to show what interest *we* have, in resisting this new system. What is it to *us*, it may

be asked, upon what principles, or what pretences then European governments assert a right of interfering, in the affairs of their neighbors? The thunder, it may be said, rolls at a distance. The wide Atlantic is between us and danger; and, however others may suffer, *we* shall remain safe.

I think it a sufficient answer to this, to say, that we are one of the nations; that we have an interest, therefore, in the preservation of that system of national law and national intercourse, which has heretofore subsisted, so beneficially for all. Our system of government, it should also be remembered, is, throughout, founded on principles utterly hostile to the new code; and, if we remain undisturbed by its operation, we shall owe our security, either to our situation or our spirit. The enterprising character of the age, our own active commercial spirit, the great increase which has taken place in the intercourse between civilized and commercial states, have necessarily connected us with the nations of the earth, and given us a high concern in the preservation of those salutary principles, upon which that intercourse is founded We have as clear an interest in international law, as individuals have in the laws of society.

But, apart from the soundness of the policy, on the ground of direct interest, we have, Sir, a duty, connected with this subject, which, I trust, we are willing to perform. What do *we* not owe to the cause of civil and religious liberty? to the principle of lawful resistance? to the principle that society has a right to partake in its own government? As the leading Republic of the world, living and breathing in these principles, and advanced, by their operation, with unequalled rapidity, in our career, shall we give *our* consent to bring them into disrepute and disgrace? It is neither ostentation nor boasting, to say, that there lie before this country, in immediate prospect, a great extent and height of power. We are borne along towards this, without effort, and not always even with a full knowledge of the rapidity of our own motion. Circumstances which never combined before, have combined in our favor, and a mighty current is setting us forward, which we could not resist, even if we would, and which, while we would stop

to make an observation, and take the sun, has set us, at the end of the operation, far in advance of the place where we commenced it. Does it not become us, then, is it not a duty imposed on us, to give our weight to the side of liberty and justice—to let mankind know that we are not tired of our own institutions—and to protest against the asserted power of altering, at pleasure, the law of the civilized world?

But, whatever we do, in this respect, it becomes us to do upon clear and consistent principles. There is an important topic in the Message, to which I have yet hardly alluded. I mean the rumored combination of the European continental sovereigns, against the new established free states of South America. Whatever position this government may take on that subject, I trust it will be one which can be defended, on known and acknowledged grounds of right. The near approach or the remote distance of danger, may affect policy, but cannot change principle. The same reason that would authorize us to protest against unwarrantable combinations to interfere between Spain and her former colonies, would authorize us equally to protest, if the same combination were directed against the smallest state in Europe, although our duty to ourselves, our policy and wisdom, might indicate very different courses, as fit to be pursued by us in the two cases. We shall not, I trust, act upon the notion of dividing the world with the Holy Alliance, and complain of nothing done by them in their hemisphere, if they will not interfere with ours. At least this would not be such a course of policy as I could recommend or support. We have not offended, and, I hope, we do not intend to offend, in regard to South America, against any principle of national independence or of public law. We have done nothing, we shall do nothing, that we need to hush up or to compromise, by forbearing to express our sympathy for the cause of the Greeks, or our opinion of the course which other governments have adopted in regard to them.

It may, in the next place, be asked, perhaps, supposing all this to be true, what can *we* do? Are we to go to war? Are we to interfere in the Greek cause, or any other Euro-

pean cause? Are we to endanger our pacific relations?—No, certainly not. What, then, the question recurs, remains for *us?* If we will not endanger our own peace; if we will neither furnish armies, nor navies, to the cause which we think the just one, what is there within *our* power?

Sir, this reasoning mistakes the age. The time has been, indeed, when fleets and armies, and subsidies, were the principal reliances even in the best cause. But, happily for mankind, there has come a great change in this respect. Moral causes come into consideration, in proportion as the progress of knowledge is advanced; and the *public opinion* of the civilized world is rapidly gaining an ascendency over mere brutal force. It is already able to oppose the most formidable obstruction to the progress of injustice and oppression; and, as it grows more intelligent and more intense, it will be more and more formidable. It may be silenced by military power, but it cannot be conquered. It is elastic, irrepressible, and invulnerable to the weapons of ordinary warfare. It is that impassible, unextinguishable enemy of mere violence and arbitrary rule, which, like Milton's angels,

"Vital in every part,
Cannot, but by annihilating, die."

Until this be propitiated or satisfied, it is vain for power to talk either of triumphs or of repose. No matter what fields are desolated, what fortresses surrendered, what armies subdued, or what provinces overrun. In the history of the year that has passed by us, and in the instance of unhappy Spain, we have seen the vanity of all triumphs, in a cause which violates the general sense of justice of the civilized world. It is nothing, that the troops of France have passed from the Pyrenees to Cadiz; it is nothing that an unhappy and prostrate nation has fallen before them; it is nothing that arrests, and confiscation, and execution, sweep away the little remnant of national resistance. There is an enemy that still exists to check the glory of these triumphs. It follows the conqueror back to the very scene of his ovations; it calls upon him to take notice that Europe, though silent, is yet indignant; it shows him that the sceptre of his victory is a barren sceptre; that it shall

confer neither joy nor honor, but shall moulder to dry ashes in his grasp. In the midst of his exultation, it pierces his ear with the cry of injured justice, it denounces against him the indignation of an enlightened and civilized age; it turns to bitterness the cup of his rejoicing, and wounds him with the sting which belongs to the consciousness of having outraged the opinion of mankind.

In my own opinion, Sir, the Spanish nation is now nearer, not only in point of time, but in point of circumstance, to the acquisition of a regulated government, than at the moment of the French invasion. Nations must, no doubt, undergo these trials in their progress to the establishment of free institutions. The very trials benefit them, and render them more capable both of obtaining and of enjoying the object which they seek.

I shall not detain the Committee, Sir, by laying before it any statistical, geographical or commercial account of Greece. I have no knowledge on these subjects, which is not common to all. It is universally admitted, that, within the last thirty or forty years, the condition of Greece has been greatly improved. Her marine is at present respectable, containing the best sailors in the Mediterranean, better, even in that sea than our own, as more accustomed to the long quarantines, and other regulations which prevail in its ports. The number of her seamen has been estimated as high as 50,000, but I suppose that estimate must be much too large. They have probably 150,000 tons of shipping. It is not easy to state an accurate account of Grecian population. The Turkish government does not trouble itself with any of the calculations of political economy, and there has never been such a thing as an accurate census, probably, in any part of the Turkish empire. In the absence of all official information, private opinions widely differ. By the tables which have been communicated, it would seem that there are 2,400,000 Greeks in Greece proper and the Islands; an amount, as I am inclined to think, somewhat overrated. There are, probably, in the whole of European Turkey, 5,000,000 Greeks, and 2,000,000 more in the Asiatic dominions of that power. The moral and intellectual progress of this numerous population, un-

der the horrible oppression which crushes it, has been such as may well excite regard. Slaves, under barbarous masters, the Greeks have still aspired after the blessings of knowledge and civilization. Before the breaking out of the present revolution, they had established schools, and colleges, and libraries, and the press. Wherever, as in Scio, owing to particular circumstances, the weight of oppression was mitigated, the natural vivacity of the Greeks, and their aptitude for the arts, were discovered. Though certainly not on an equality with the civilized and christian states of Europe, and how is it possible under such oppression as they endured that they should be? they yet furnished a striking contrast with their Tartar Masters. It has been well said, that it is not easy to form a just conception of the nature of the despotism exercised over them. Conquest and subjugation, as used among European states, are inadequate modes of expression by which to denote the dominion of the Turks. A conquest, in the civilized world, is generally no more than an acquisition of a new part to the conquering country. It does not imply a never-ending bondage imposed upon the conquered, a perpetual mark, and opprobrious distinction between them and their masters, a bitter and unending persecution of their religion; an habitual violation of their rights of persons and property, and the unrestrained indulgence towards them, of every passion which belongs to the character of a barbarous soldiery. Yet, such is the state of Greece. The Ottoman power over them, obtained originally by the sword, is constantly preserved by the same means. Wherever it exists, it is a mere military power. The religious and civil code of the state, being both fixed in the Alcoran, and equally the object of an ignorant and furious faith, have been found equally incapable of change. "The Turk," it has been said, "has been *encamped* in Europe for four centuries." He has hardly any more participation in European manners, knowledge, and arts, than when he crossed the Bosphorus. But this is not the worst of it. The power of the empire is fallen into anarchy, and as the principle which belongs to the head belongs also to the parts, there are as many despots as there are pachas, beys, and visiers. Wars are

almost perpetual, between the sultan and some rebellious governor of a province; and in the conflict of these despotisms, the people are necessarily ground between the upper and the nether millstone. In short, the christian subjects of the sublime Porte, feel daily all the miseries which flow from despotism, from anarchy, from slavery, and from religious persecution. If any thing yet remains to heighten such a picture, let it be added, that every office in the government is not only actually, but professedly, venal;—the pachalics, the visierates, the cadiships, and whatsoever other denomination may denote the depositary of power. In the whole world, Sir, there is no such oppression *felt*, as by the christian Greeks. In various parts of India, to be sure, the government is bad enough; but then it is the government of barbarians over barbarians, and the *feeling* of oppression is, of course not so keen. There the oppressed are perhaps not better than their oppressors; but in the case of Greece, there are millions of christian men, not without knowledge, not without refinement, nor without a strong thirst for all the pleasures of civilized life, trampled into the very earth, century after century, by a pillaging, savage, relentless soldiery. Sir, the case is unique. There exists, and has existed, nothing like it. The world has no such misery to show; there is no case in which Christian communities can be called upon, with such emphasis of appeal.

But I have said enough, Mr. Chairman, indeed I need have said nothing, to satisfy the House, that it must be some new combination of circumstances, or new views of policy in the cabinets of Europe, which have caused this interesting struggle not merely to be regarded with indifference, but to be marked with opprobium. The very statement of the case, as a contest between the Turks and Greeks, sufficiently indicates what must be the feeling of every individual, and every government, that is not biassed by a particular interest, or a particular feeling, to disregard the dictates of justice and humanity.

And now, Sir, what has been the conduct pursued by the Allied Powers, in regard to this contest? When the revolution broke out, the sovereigns were in Congress at

Laybach; and the papers of that assembly sufficiently manifest their sentiments. They proclaimed their abhorrence of those "criminal combinations which had been formed in the eastern parts of Europe;" and, although it is possible that this denunciation was aimed, more particularly, at the disturbances in the provinces of Wallachia and Moldavia, yet no exception is made, from its general terms, in favour of those events in Greece, which were properly the commencement of her revolution, and which could not but be well known at Laybach, before the date of these declarations. Now it must be remembered, that Russia was a leading party in this denunciation of the efforts of the Greeks to achieve their liberation; and it cannot but be expected by Russia that the world shall also remember what part she herself has heretofore acted, in the same concern. It is notorious, that within the last half century she has again and again, excited the Greeks to rebellion against the Porte, and that she has constantly kept alive in them the hope that she would, one day, by her own great power, break the yoke of their oppressor. Indeed, the earnest attention with which Russia has regarded Greece, goes much farther back than to the time I have mentioned. Ivan the third, 1482, having espoused a Grecian princess, heiress of the last Greek emperor, discarded St. *George* from the Russian arms, and adopted in its stead the *Greek two-headed black Eagle*, which has continued in the Russian arms to the present day. In virtue of the same marriage, the Russian princess claimed the Greek throne as their inheritance.

Under Peter the Great, the policy of Russia developed itself more fully. In 1696, he rendered himself master of Azoph, and in 1698, obtained the right to pass the Dardanelles, and to maintain, by that route, commercial intercourse with the Mediterranean. He had emissaries throughout Greece, and particularly applied himself to gain the clergy. He adopted the *Labarum* of Constantine, "*In hoc signo vinces*;" and medals were struck, with the inscription, "*Petrus I. Græcorum Imperator.*" In whatever new direction the principles of the Holy Alliance may now lead the politics of Russia, or whatever course she may

suppose Christianity now prescribes to her, in regard to the Greek cause, the time has been when she professed to be contending for that cause, as identified with Christianity. The white banner under which the soldiers of Peter the first usually fought, bore, as its inscription, "*In the name of the Prince, and for our country.*" Relying on the aid of the Greeks, in this war with the Porte, he changed the white flag to red, and displayed on it the words, "*In the name of God, and for Christianity.*" The unfortunate issue of this war is well known. Though Anne and Elizabeth, the successors of Peter, did not possess his active character, they kept up a constant communication with Greece, and held out hopes of restoring the Greek empire. Catharine the second, as is well known, excited a general revolt in 1769. A Russian fleet appeared in the Mediterranean, and a Russian army was landed in the Morea. The Greeks in the end were disgusted by being required to take an oath of allegiance to Russia, and the empress was disgusted because they refused to take it. In 1774, peace was signed between Russia and the Porte, and the Greeks of the Morea were left to their fate. By this treaty the Porte acknowledged the independence of the Khan of the Crimea; a preliminary step to the acquisition of that country by Russia. It is not unworthy of remark, as a circumstance which distinguished this from most other diplomatic transactions, that it conceded the right to the cabinet of St. Petersburg, of intervention in the interior affairs of Turkey, in regard to whatever concerned the religion of the Greeks. The cruelties and massacres that happened to the Greeks after the peace between Russia and the Porte, notwithstanding the general pardon that had been stipulated for them, need not now to be recited. Instead of retracing the deplorable picture, it is enough to say, that in this respect the past is justly reflected in the present. The empress soon after invaded and conquered the Crimea, and on one of the gates of Kerson, its capital, caused to be inscribed, "*The road to Bysantium.*" The present emperor, on his accession to the throne, manifested an intention to adopt the policy of Catharine the II. as his own, and the world has not been right, in all its suspicions, if a project

for the partition of Turkey did not form a part of the negotiations of Napoleon and Alexander at Tilsit.

All this course of policy seems suddenly to be changed. Turkey is no longer regarded, it would appear, as an object of partition or acquisition, and Greek revolts have, all at once, become, according to the declaration of Laybach, "criminal combinations." The recent congress at Verona exceeded its predecessor at Laybach, in its denunciations of the Greek struggle. In the circular of the 14th of December, 1822, it declared the Grecian resistance to the Turkish power to be rash and culpable, and lamented that "the firebrand of rebellion had been thrown into the Ottoman empire." This rebuke and crimination, we know to have proceeded on those settled principles of conduct, which the continental powers had prescribed for themselves. The sovereign saw, as well as others, the real condition of the Greeks; they knew, as well as others, that it was most natural and most justifiable, that they should endeavor, at whatever hazard, to change that condition. They knew, that they, themselves, or at least one of them, had more than once urged the Greeks to similar efforts; that they, themselves, had thrown the same firebrand into the midst of the Ottoman empire. And yet, so much does it seem to be their fixed object to discountenance whatsoever threatens to disturb the actual government of any country, that, Christians, as they were, and allied as they profess to be, for purposes most important to human happiness and religion, they have not hesitated to declare to the world, that they have wholly forborne to exercise any compassion to the Greeks, simply because they thought that they saw, in the struggles of the Morea, the sign of revolution. This, then is coming to a plain, practical result. The Grecian revolution has been discouraged, discountenanced, and denounced, for no reason but because *it is a* revolution. Independent of all inquiry into the reasonableness of its causes, or the enormity of the oppression which produced it; regardless of the peculiar claims which Greece possesses upon the civilized world; and regardless of what has been their own conduct towards her for a century; regardless of the interest of the Christian religion, the sovereigns at Ve-

rona seized upon the case of the Greek revolution, as one above all others calculated to illustrate the fixed principles of their policy. The abominable rule of the Porte on one side, the valor and the sufferings of the Christian Greeks on the other, furnished a case likely to convince even an incredulous world of the sincerity of the professions of the Allied Powers. They embraced the occasion, with apparent ardour; and the world, I trust, is satisfied.

We see here, Mr. Chairman, the direct and actual application of that system which I have attempted to describe. We see it in the very case of Greece. We learn authentically and indisputably, that the Allied Powers, holding that all changes in legislation and administration ought to proceed from kings alone, were wholly inexorable to the sufferings of the Greeks, and wholly hostile to their success. Now it is upon this practical result of the principle of the continental powers, that I wish this House to intimate its opinion. The great question is a question of principle. Greece is only the signal instance of the application of that principle. If the principle be right, if we esteem it conformable to the law of nations, if we have nothing to say against it, or if we deem ourselves unfit to express an opinion on the subject, then, of course, no resolution ought to pass. If, on the other hand, we see in the declarations of the Allied powers, principles not only utterly hostile to our own free institutions, but hostile also to the independence of all nations, and altogether opposed to the improvement of the condition of human nature; if, in the instance before us, we see a most striking exposition and application of those principles, and if we deem our own opinions to be entitled to any weight in the estimation of mankind; then, I think, it is our duty to adopt some such measure as the proposed resolution.

It is worthy of observation, Sir, that as early as July, 1821, Baron Strogonoff, the Russian minister at Co stantinople, represented to the Porte, that, if the undistinguished massacres of the Greeks, both of such as were in open resistance, and of those who remained patient in their submission, were continued, and should become a settled habit, they would give just cause of war against the Porte to all

Christian states. This was in 1821. It was followed, early in the next year, by that indescribable enormity, that appaling monument of barbarian cruelty, the destruction of Scio; a scene I shall not attempt to describe; a scene from which human nature shrinks shuddering away; a scene having hardly a parallel in the history of fallen man. This scene, too, was quickly followed by the massacres in Cyprus; and all these things were perfectly known to the Christian powers assembled at Verona. Yet these powers, instead of acting upon the case supposed by Baron Strogonoff, and which, one would think, had been then fully made out; instead of being moved by any compassion for the sufferings of the Greeks; these powers, these Christian powers, rebuke their gallantry, and insult their sufferings, by accusing them of "throwing a firebrand into the Ottoman empire."

Such, Sir, appear to me to be the principles on which the continental powers of Europe have agreed hereafter to act; and this, an eminent instance of the application of those principles.

I shall not detain the committee, Mr. Chairman, by any attempt to recite the events of the Greek struggle, up to the present time. Its origin may be found, doubtless, in that improved state of knowledge, which, for some years, has been gradually taking place in that country. The emancipation of the Greeks has been a subject frequently discussed in modern times. They themselves are represented as having a vivid remembrance of the distinction of their ancestors, not unmixed with an indignant feeling, that civilized and Christian Europe should not, ere now, have aided them in breaking their intolerable fetters.

In 1816, a society was founded in Vienna, for the encouragement of Grecian literature. It was connected with a similar institution at Athens, and another in Thessaly, called the "Gymnasium of Mount Pelion. The treasury and general office of the institution was established at Munich. No political object was avowed by these institutions, probably none contemplated. Still, however, they have, no doubt, had their effect in hastening that condition of things, in which the Greeks felt competent to the establishment of their independence. Many young men have been, for

years, annually sent to the universities in the western states of Europe for their education; and, after the general pacification of Europe, many military men, discharged from other employment, were ready to enter even into so unpromising a service as that of the revolutionary Greeks.

In 1820, war commenced between the Porte and Ali, the well known pacha of Albania. Differences existed also with Persia, and Russia. In this state of things, at the beginning of 1821, an insurrection appears to have broken out in Moldavia, under the direction of Alexander Ypsilanti, a well educated soldier, who had been major-general in the Russian service. From his character, and the number of those who seemed disposed to join him, he was supposed to be countenanced by the court of St. Petersburg. This, however, was a great mistake, which the emperor, then at Laybach, took an early opportunity to rectify. The Porte, it would seem, however, alarmed at these occurrences in the northern provinces, caused search to be made of all vessels entering the black Sea, lest arms or other military means should be sent in that manner to the insurgents. This proved inconvenient to the commerce of Russia, and caused some unsatisfactory correspondence between the two powers. It may be worthy of remark, as an exhibition of national character, that, agitated by these appearances of intestine commotion, the sultan issued a proclamation, calling on all true musselmans to renounce the pleasures of social life, to prepare arms and horses, and to return to the manner of their ancestors, the life of the plains. The Turk seems to have thought that he had, at last, caught something of the dangerous contagion of European civilization, and that it was necessary to reform his habits, by recurring to the original manners of military roving barbarians.

It was about this time that is to say at the commencement of 1821, that the revolution burst out in various parts of Greece and the Isles. Circumstances, certainly, were not unfavorable, as one portion of the Turkish army was employed in the war against Ali Pacha in Albania, and another part in the provinces north of the Danube. The Greeks soon possessed themselves of the open country of the Morea, and drove their enemy into the fortresses. Of

these, that of Tripolitza, with the city, fell into the hands of the Greeks, in the course of the summer. Having after these first movements obtained time to breathe, it became, of course, an early object to establish a government. For this purpose delegates of the people assembled, under that name which describes the assembly in which we ourselves sit, that name which "freed the Atlantic," a *Congress*. A writer, who undertakes to render to the civilized world that service which was once performed by Edmund Burke, I mean the compiler of the English Annual Register, asks, *by what authority* this assembly could call itself a *Congress*. Simply, Sir, by the same authority, by which the people of the United States have given the same name to their own legislature. We, at least, should be naturally inclined to think, not only as far as names, but things also, are concerned, that the Greeks could hardly have begun their revolution under better auspices; since they have endeavored to render applicable to themselves the general principles of our form of government, as well as its name. This constitution went into operation at the commencement of the next year. In the mean time, the war with Ali Pacha was ended; he having surrendred, and being afterwards assassinated, by an instance of treachery and perfidy, which, if it had happened elsewhere than under the government of the Turks, would have deserved notice. The negotiation with Russia, too, took a turn unfavorable to the Greeks. The great point upon which Russia insisted, beside the abandonment of the measure of searching vessels bound to the Black Sea, was, that the Porte should withdraw its armies from the neighborhood of the Russian frontiers; and the immediate consequence of this, when effected, was to add so much more to the disposable force, ready to be employed against the Greeks. These events seemed to have left the whole force of the Empire, at the commencement of 1822, in a condition to be employed against the Greek rebellion; and, accordingly, very many anticipated the immediate destruction of their cause. The event, however, was ordered otherwise. Where the greatest effort was made, it was met and defeated. Entering the Morea with an army which seemed capable of bearing down all resistance, the Turks were nevertheless defeated

and driven back, and pursued beyond the isthmus, within which, as far as it appears, from that time to the present, they have not been able to set their foot.

It was in April, of this year, that the destruction of Scio took place. That island, a sort of appanage of the Sultana mother, enjoyed many privileges peculiar to itself. In a population of 130,000 or 140,000, it had no more than 2000 or 3000 Turks; indeed, by some accounts, not near as many. The absence of these ruffian masters, had, in some degree, allowed opportunity for the promotion of knowledge, the accumulation of wealth, and the general cultivation of society. Here was the seat of the modern Greek literature; here were libraries, printing presses, and other establishments, which indicate some advancement in refinement and knowledge. Certain of the inhabitants of Samos, it would seem, envious of this comparative happiness of Scio, landed upon the island, in an irregular multitude, for the purpose of compelling its inhabitants to make common cause with their countrymen against their oppressors. These, being joined by the peasantry, marched to the city, and drove the Turks into the castle. The Turkish fleet, lately reinforced from Egypt, happened to be in the neigboring seas, and learning these events, landed a force on the island of 15,000 men. There was nothing to resist such an army. These troops immediately entered the city, and began an indiscriminate massacre. The city was fired; and, in four days the fire and the sword of the Turk, rendered the beautiful Scio a clotted mass of blood and ashes. The details are too shocking to be recited. Forty thousand women and children, unhappily saved from the general destruction, were afterwards sold in the market of Smyrna, and sent off into distant and hopeless servitude. Even on the wharves of our own cities, it has been said, have been sold the utensils of those hearths which now exist no longer. Of the whole population which I have mentioned, not above 900 persons were left living upon the island. I will only repeat, Sir, that these tragical scenes were as fully known at the Congress of Verona, as they are now known to us; and it is not too much to call on the powers that constituted that Congress, in the name of conscience,

and in the name of humanity, to tell us, if there be nothing even in these unparalleled excesses of Turkish barbarity, to excite a sentiment of compassion; nothing which they regard as so objectionable as even the very idea of popular resistance to power.

The events of the year which has just passed by, as far as they have become known to us, have been even more favorable to the Greeks, than those of the year preceding. I omit all details, as being as well known to others as to myself. Suffice it to say, that with no other enemy to contend with, and no diversion of his force to other objects, the Porte has not been able to carry the war into the Morea; and that, by the last accounts, its armies were acting defensively in Thessaly. I pass over also the naval engagements of the Greeks, although that is a mode of warfare in which they are calculated to excel, and in which they have already performed actions of such distinguished skill and bravery, as would draw applause upon the best mariners in the world. The present state of the war would seem to be, that the Greeks possess the whole of the Morea, with the exception of the three fortresses of Patras, Coron and Modon; all Candia, but one fortress; and most of the other islands. They possess the citadel of Athens, Missolunghi, and several other places in Livadia. They have been able to act on the offensive and to carry the war beyond the isthmus. There is no reason to believe their marine is weakened; probably, on the other hand, it is strengthed. But, what is most of all important, they have obtained time and experience. They have awakened a sympathy throughout Europe and throughout America; and they have formed a government which seems suited to the emergency of their condition.

Sir, they have done much. It would be great injustice to compare their achievments with our own. We began our revolution, already possessed of government, and, comparatively, of civil liberty. Our ancestors had, for centuries, been accustomed in a great measure to govern themselves. They were well acquainted with popular elections and legislative assemblies, and the general principles and practice of free governments. They had little else to do than to throw off the paramount authority of the parent

state. Enough was still left, both of law and of organization, to conduct society in its accustomed course, and to unite men together for a common object. The Greeks, of course, could act with little concert at the beginning; they were unaccustomed to the exercise of power, without experience, with limited knowledge, without aid, and surrounded by nations, which, whatever claims the Greeks might seem to have had upon them, have afforded them nothing but discouragement and reproach. They have held out, however, for three campaigns; and that, at least, is something. Constantinople and the northern provinces have sent forth thousands of troops;—they have been defeated. Tripoli, and Algiers, and Egypt, have contributed their marine contingents;—they have not kept the ocean. Hordes of Tartars have crossed the Bosphorus;—they have died where the Persians died. The powerful monarchies in the neighborhood have denounced their cause, and admonished them to abandon it, and submit to their fate. They have answered them, that, although two hundred thousand of their countrymen have offered up their lives, there yet remain lives to offer; and that it is the determination of *all*, "yes, of ALL," to persevere until they shall have established their liberty, or until the power of their oppressors shall have relieved them from the burthen of existence.

It may now be asked, perhaps, whether the expression of our own sympathy, and that of the country, may do them good? I hope it may. It may give them courage and spirit, it may assure them of public regard, teach them that they are not wholly forgotten by the civilized world, and inspire them with constancy in the pursuit of their great end. At any rate, Sir, it appears to me, that the measure which I have proposed is due to our own character, and called for by our own duty. When we shall have discharged that duty, we may leave the rest to the disposition of Providence.

I do not see how it can be doubted, that this measure is entirely *pacific*. I profess my inability to perceive that it has any possible tendency to involve our neutral relations. If the resolution pass, it is not, necessarily, to be immediately acted on. It will not be acted on at all, unless, in the opinion of the President, a proper and safe occasion for act-

ing upon it shall arise. If we adopt the resolution to-day, our relations with every foreign state will be to-morrow precisely what they now are. The resolution will be sufficient to express our sentiments on the subjects to which I have adverted. Useful to that purpose, it can be mischievous to no purpose. If the topic were properly introduced into the Message, it cannot be improperly introduced into discussion in this House. If it were proper, which no one doubts, for the President to express his opinions upon it, it cannot, I think, be improper for us to express ours. The only certain effect of this resolution is to express, in a form usual in bodies constituted like this, our approbation of the general sentiment of the Message. Do we wish to withhold that approbation? *The resolution confers on the President no new power, nor does it enjoin on him the exercise of any new duty; nor does it hasten him in the discharge of any existing duty.*

I cannot imagine that this resolution can add any thing to those excitements which it has been supposed, I think very causelessly, might possibly provoke the Turkish government to acts of hostility. There is already the Message, expressing the hope of success to the Greeks, and disaster to the Turks, in a much stronger manner than is to be implied from the terms of this resolution. There is the correspondence between the Secretary of State and the Greek Agent in London, already made public, in which similar wishes are expressed, and a continuance of the correspondence apparently invited. I might add to this, the unexampled burst of feeling which this cause has called forth from all classes of society, and the notorious fact of pecuniary contributions made throughout the country for its aid and advancement. After all this, whoever can see cause of danger to our pacific relations from the adoption of this resolution, has a keener vision than I can pretend to. Sir, there is no augmented danger; there is *no danger*. The question comes at last to this, whether, on a subject of this sort, this House holds an opinion which is worthy to be expressed?

Even suppose, Sir, an Agent or Commissioner were to be immediately sent,—a measure which I myself believe to be

the proper one,—there is no breach of neutrality, nor any just cause of offence. Such an agent, of course, would not be accredited; he would not be a public minister. The object would be inquiry and information; inquiry, which we have a right to make; information, which we are interested to possess. If a dismemberment of the Turkisb empire be taking place, or has already taken place; if a new state be rising, or be already risen, in the Mediterranean, who can doubt, that, without any breach of neutrality, we may inform ourselves of these events, for the government of our own concerns?

The Greeks have declared the Turkish coasts in a state of blockade; may we not inform ourselves whether this blockade be *nominal* or *real*? and, of course, whether it shall be regarded or disregarded? The greater our trade may happen to be with Smyrna, a consideration which seems to have alarmed some gentlemen, the greater is the reason, in my opinion, why we should seek to be accurately informed of those events which may affect its safety.

It seems to me impossible, therefore, for any reasonable man to imagine, that this resolution can expose us to the resentment of the sublime Porte.

As little reason is there for fearing its consequences upon the conduct of the Allied Powers. They may, very naturally, dislike our sentiments upon the subject of the Greek Revolution; but what those sentiments are, they will much more explicitly learn in the Presidents's Message than in this resolution. They might, indeed, prefer that we should express no dissent upon the doctrines which they have avowed, and the application which they have made of those doctrines to the case of Greece. But I trust we are not disposed to leave them in any doubt as to our sentiments upon these important subjects. They have expressed their opinions, and do not call that expression of opinion, *an interference;* in which respect they are right, as the expression of opinion, in such cases, is not such an *interference* as would justify the Greeks in considering the powers as at war with them. For the same reason, any expression which we may make, of different principles and different sympathies, is no *interference.* No one would call the President's Mes-

sage an *interference*; and yet it is much stronger, in that respect, than this resolution. If either of them could be construed to be an *interference*, no doubt it would be improper, at least it would be so, according to my view of the subject; for the very thing which I have attempted to resist in the course of these observations, is the right of foreign interference. But neither the Message nor the resolution has that character. There is not a power in Europe that can suppose, that, in expressing our opinions on this occasion, we are governed by any desire of aggrandizing ourselves, or of injuring others. We do no more than to maintain those established principles, in which we have an interest in common with other nations, and to resist the introduction of new principles and new rules, calculated to destroy the relative independence of states, and particularly hostile to the whole fabric of our own government.

I close, then, Sir, with repeating, that the object of this resolution is, to avail ourselves of the interesting occasion of the Greek revolution, to make our protest against the doctrines of the Allied Powers; both as they are laid down in the principle, and as they are applied in practice

I think it right too, Sir, not to be unseasonable in the expression of our regard, and, as far as that goes, in a ministration of our consolation, to a long oppressed and now struggling people. I am not of those who would i the hour of utmost peril, withhold such encouragement as might be properly and lawfully given, and when the crisis should be past, overwhelm the rescued sufferer with kindness and caresses. The Greeks address the civilized world with a pathos, not easy to be resisted. They invoke our favor by more moving considerations than can well belong to the condition of any other people. They stretch out their arms to the Christian communities of the earth, beseeching them, by a generous recollection of their ancestors, by the consideration of their own desolated and ruined cities and villages, by their wives and children, sold into an accursed slavery, by their own blood, which they seem willing to pour out like water, by the common faith, and in the name, which unites all Christians, that they would extend to them, at least some token of compassionate regard.

SPEECH

OF

MR. HENRY CLAY,

On the Bill for obtaining the necessary Surveys on the subject of Roads and Canals.

DELIVERED IN THE HOUSE OF REPRESENTATIVES,
JANUARY, 31, 1824.

Mr. CLAY rose in reply to Mr. RANDOLPH. It had certainly, he said, been far from his intention again to trouble the committee on the present subject. He felt restrained, not only by a consideration of the time that had already been spent upon it, but also by the state of his own health; but allusions so frequent, and of such a marked character, had been made to him, (especially by the honorable gentleman who had just taken his seat,) that he trusted it would not be deemed a trespass on the committee if he should briefly notice some of them.

MR. CHAIRMAN,

The gentleman from Virginia, (Mr. Archer,) for the general character of whose discussion I feel the highest respect, and whose intelligent mind never leads him to say what is not, at least, worthy of serious consideration, had observed, in the course of his speech, (which I regret that I heard only in part,) that he is quite sure I would concede that, in ascertaining what are lawful means to be taken for carrying into effect either of the granted powers in the constitution, a congruity would be required in such means with the power to be executed. To this I then

nodded assent; and I now repeat the expression of my concurrence. But I submit it to the committee to say whether there is any discrepancy between roads and canals as a means, and the transportation of troops and munitions of war as an end; between good roads as a means, and the transportation of the mail as an end; between roads and canals as a means, and the regulating and facilitating of internal commerce as an end.

Another gentleman from Virginia, (Mr. Stevenson,) whose speech I had the pleasure of hearing throughout, alluded to a speech of mine, delivered on a former occasion, and which contained, as he contended, sentiments in opposition to those expressed by me in the present debate. Although I think it somewhat unfair to travel out of the proceedings of this House in search of arguments advanced on a different occasion and in another body, yet, whatever others may say, I, for one, have never felt the slightest difficulty in owning any and every part of the course I have pursued, and in avow ng the motives by which I have been actuated. It is true that I was opposed to the renewal of the charter of the old bank of the United States. My opposition to it arose from various motives, involving not merely the constitutional question, but the expediency of the measure. I admit that I did not, at that time, believe that congress could, constitutionally, grant the incorporation. But on another occasion, after much experience had, in a state of war and in the most perilous times, of the urgent necessity of such an institution, I did, on farther consideration, change my opinion, and, in having done so, I stand in company with some of the best, the wisest, and the purest men of our country, and especially with that man who most deserves the gratitude of this country for the establishment of this government, I mean the late chief magistrate of the United States, and with one not less honest, though less distinguished, the present Governor of Virginia. The conviction was forced upon us by necessity and the lights of experience. But, while I acknowledge this, I must, at the same time, be permitted to say, that I think the gentleman who urged this has utterly failed of establishing the slightest contradiction, between the principles I then held and those

on which I advocate the present bill. His failure is most signal. He first assumes it for granted that, if congress does not possess the power of incorporation, it has no power to make internal improvements; and then he urges my objection against the former power to disprove the existence of the latter. But I am sure that, to do away this assumption, I may appeal not only to his own candor, (for I never admitted what he assumes,) but to the example of his own state, which has, at this moment, a board for internal improvements, sanctioned and aided by the legislature, and yet not incorporated; and to the example of this government, which made the Cumberland road without granting any act of incorporation to effect it. So that, even granting him the full benefit of the opinion I formerly held and expressed in the senate, and which he now quotes against me, it does not advance him one step in his argument.

A member on my right (Mr. Randolph) has done me honor to notice an argument I brought forward some eight or ten days ago, and although he set out with declaring that he should treat it with more respect than I had treated that of the chief Magistrate, I think, I may appeal to the committee to decide whether he has redeemed the pledge. Sir, I am growing old. I have had some little measure of experience in public life, and the result of that experience has brought me to this conclusion, that, when business of whatever nature, is to be transacted in a deliberative assembly, or in private life, courtesy, forbearance, and moderation, are best calculated to bring it to a successful conclusion. Sir, my age admonishes me to abstain from involving myself in personal difficulties; would to God that I could say I am also restrained by higher motives. I certainly never sought any collision with the gentleman from Virginia. My situation, at this time, is peculiar, if it be nothing else, and might, I should think, dissuade at least a generous heart from any wish to draw me into circumstances of personal altercation. I have experienced this magnanimity from some quarters of the house. But I regret that, from others, it appears to have received no such consideration. The gentleman from Virginia was

pleased to say that, in one point at least, he coincided with me—in an humble estimate of my grammatical and philological acquirements. I know my deficiencies. I was born to no proud patrimonial estate; from my father I inherited only infancy, ignorance, and indigence. I feel my defects; but, so far as my situation in early life is concerned, I may, without presumption, say they are more my misfortune than my fault. But, however I may regret my want of ability to furnish to the gentleman a better specimen of powers of verbal criticism, I will venture to say, it is not greater than the disappointment of this committee, as to the strength of his argument. Sir, I am no preceptor: when I desire perfect accuracy of definition, or correctness of pronunciation, I may go to the highest authority in this house—probably in this country—the gentleman himself: but in the mean time, I am very sure that my commentary on the word in question, has not yet been fairly met and refuted. The honorable gentleman from Virginia, has asked, whether, in the preamble of the constitution, the people of the United States are made to say that they adopt that instrument "in order to *construct* justice," or to *make* justice. I answer, sir, in one sense, yes. In all that relates to that part of the penal code which assigns punishment to acts not immoral in themselves, but only criminal because prohibited by law, whatever is malum prohibitum, and not malum in *se*, the law *creates* the crime: the crime, as such, had no existence till the law defined and prohibited it. Here criminal justice is *created*, and a crime is *constructed*, and *made* by force of law.

The gentleman from Virginia says that the settled sense of the constitution for these thirty years past, may be gathered from the practice under it. But if his construction be true, no post road has yet been *established;* for according to him, every one of them may be abrogated at pleasure by the states. The gentleman has gone for illustration to the small but respectable state of Delaware—and has said something about her "getting her back up," and "resisting the passage of the United States troops." Sir, is the legislature of the state of Delaware, or of any other state, large or small, to resist and defeat the laws of congress

made by delegates from every part of the Union? I know that the interest of the states is, in general a guarantee against any resistance on their part, to the exercise of a power so beneficial as that of transmitting the mail; but we have seen cases of contest between a state and the general government in which their attachment to the confederacy, has not always been sufficient to restrain them, and we have seen them in peace and in war. A late instance occured between the States of New York and Connecticut. When men's passions get up, there is no telling before hand into what measures they may be precipitated.

But, has the gentleman met my argument on the difference between the Constitution and the old Confederation? That the government acts under the one by its own intrinsic energy, while by the other, it was dependant for every act upon the power of the State Legislatures. Has he shewn that this principle of difference does not apply to post roads, as well as to any other branch of the powers of the government? It is possible, I admit, that cases may be produced, in which the sense which the gentleman attributes to the word "establish" may hold—but, in the Constitution, as well as in the President's Message, it is used in the sense for which I contended.

It has been said that one leading motive which led to the adoption of the Federal government, was the necessity of some general regulation for foreign commerce. I grant this; but I ask, are we to refer to the various motives which prevailed on the People to adopt the Constitution, or to the Constitution itself, for the principles of its interpretation? I will draw an illustration of this part of my subject from the records of that profession, of which the gentleman from Virginia has spoken, in no very respectful terms, but which has produced in all countries some of the ablest, wisest, and best men that have ever adorned our species. I advert to a case which is no doubt familiar to the gentleman's historical recollection—the famous Coventry act, which was passed in consequence of an affray that took place in the public streets of London, between some knights and other persons of distinction, and which prohibited, un-

der severe penalties, the "drawing of blood in the streets"—no doubt ever did or could exist as to what was intended to be prohibited by this act; and yet, if its interpretation had been limited by the motive of its enactment or the preamble, it would have been restrained to the particular case which led to its passage. We must look into the instrument, to its words, and not out of it, for its true meaning. Resort may indeed be had to the preamble—but even the preamble is not suffered to control the interpretation. It is only used to assist in finding the meaning of equivocal and doubtful phrases. So in the present case—I know that commerce and revenue were leading considerations in the formation and adoption of the Constitution; but we are to look at the words of the grant, and though I would not say that we are wholly to reject all consideration of the motives, yet they are but of small avail in interpreting plain words in the instrument itself. Now, the self same words being applied in the Constitution to the powers of Congress over internal, that are applied to its powers over external, commerce, I contend that all powers given for the one, are given for the other, the words are the same—the objects are the same. It is true, indeed, that, in the origin of the government, it might not be necessary to insist on this interpretation, because there was then no pecuniary means to exercise the power, or at least, in a very partial extent: the same may be said of the power to establish post roads. The country was just out of a distressing war, followed by a distressing peace. The public revenue was in such a state, that it was doubted if it would be competent to pay the civil list—it is not wonderful that, at such a time, the government did not use all the powers which it possessed.

Gentlemen have misstated, or misunderstood, what I said in relation to the exercise of powers confided to the government. I never said that simply not to exercise these powers was treachery; but that when the public good required their exercise—and especially when none but Congress could exercise them, when Congress must exercise them, or they would not be exercised at all, then, not to use the power was treachery; and I still hold and repeat the sentiment. Although commerce and revenue were at first very

leading motives to the Federal Constitution, are we to limit the Constitution by this rule? Let us remember that then the country had scarcely any interior; there were few settlements, and but settlers, beyond the Alleghany mountain. The whole interior has grown up since the Constitution was adopted; and though this gives no new power, yet it may and ought to call forth every dormant power conveyed by that instrument, the exertion of which may tend to the public prosperity. It presents a new case—new relations—new interests; and certainly it is the duty of Congress to look to the whole—to remember we have an internal as well as an external commerce; and to seek to enable this country to say, what has been so often proudly said in England—"England is England's best customer." I hope that it will yet be said, America is America's best customer. Sir, a new world has come into being since the Constitution was adopted. Are the narrow limited necessities of the old thirteen States, of indeed parts only of the old thirteen States, as they existed at the formation of the present Constitution, forever to remain a rule of its interpretation? Are we to forget the wants of our country? Are we to neglect and refuse the redemption of that vast wilderness which once stretched unbroken beyond the Alleghany? I trust not, sir. I hope for better and nobler things. The gentleman intimates the General Government may have powers in the time of war which it does not possess in time of peace; but I ask, has it any powers but what it holds by grant of the Constitution, expressed or fairly implied? And if not, does it not possess the same powers at all times? True it is, that in peace many of these powers are not called forth into action and exercise—but they exist nevertheless, or the Constitution is a nullity. Sir, is war a source of power? Is necessity a source of power? Surely not. The government holds its powers not by peace, or war, but by the Constitution. I ask whether, while peace yet continues, the government has no powers which are preparatory, but which have a direct relation to war? May it not cast cannon? May it not provide muskets, to put into the hands of a hardy and gallant yeomanry? May it not make forts?—and if it may do all these, do I advance a single step, when I ask, may it

not make roads also? Yes, sir. I do say that roads are in place of forts, and in a great measure dispense with the necessity of building them: roads collect the moveable force of the country, and condense it on whatever point may be attacked or threatened by an enemy. What was told us when, the other day we voted for a road in Arkansas? That the great body of population in that territory was separated by a wilderness, which is from our states, impracticable and impassable; and we voted for that road as a measure of defence—and it is a measure of defence—far more effectual than fortifications would have been.

Another gentleman from Virginia, (Mr. Archer,) employed a species of argument, the propriety of which I again submit to his candor. He takes up all the various constitutional sources, whence the friends of the bill draw the power, and examines them separately and in detail. And, contending that no one of them would induce Congress to pass the bill, dismisses the whole in succession. Now, sir, is not this treating the subject upon grounds of expediency and not of power? He asks if you would make these internal improvements for the purpose merely of transporting the mail? Or for that of facilitating the distribution of the public force? Or for that of promoting internal commerce among the several states? And, emphatically pronouncing the negative, in reference to each of those several objects, the gentleman seemed to think that the committee ought to come to the same conclusion to which he brought himself, that this power does not exist. Is it fair, thus to pass in review the various objects, and to pronounce, that, since no one of them, considered by itself, would lead to the adoption of the proposed policy, the bill ought not to pass? The motive for the exercise of power is one, and a totally different thing, from the power itself. It might be conceded, that no one of the objects suggested, considered apart, would present a sufficient motive to enact the bill; and yet, that the aggregate effect of the whole of them united, would present an adequate motive. In truth, almost the whole argument against the bill is virtually an argument on expediency, rather than power. The gentlemen argue from extreme cases; but, if their argument amounts to any thing, it is good againt

the exercise of any power whatever, and applies as much to any and every other power of the government, even to those literally and expressly granted, as it does to the incidental power now in dispute. The power of taxation is a power expressly granted; and taxation may be carried so far as to take away the last dollarf rom every man in the community. But, is this good argument against the existence of the power? So gentlemen ask us if we are going to make 80,000 miles of post roads? No, sir; but this does not operate as a reason why we may not make such as are called for by the wants and the safety of the country.

The gentleman from Virginia has reminded me of the many obligations conferred by this Government upon the West—and, among them, has spoken of the grants of land for education. I ask the gentleman, Were not these paid for? Have not these school lots raised the value of the whole body of United States' land, by which they were surrounded? Sir, the Western States have never yet received any thing from this government, for which they have not given an equivalent. They have paid a *quid* for every *quo*. Was the West allowed to buy its land of the Indians? Or, did not the whole avails go into your own exchequer? You yourselves desired it. And, as to the Indian wars, were they not necessary for the safety of the whole Union? [Here Mr. Randolph interposed, and denied having adverted to the Indian wars.] If he did not, then I must say he has made out a wretched list of benefits. Sir, I regret the introduction of such a topic. It is one on which I should never have dwelt; unless forced into discussion. But I will say, in leaving it, that the sale of your land to the people of the West, has brought more money into your treasury than has been acquired in the sale of the public domain of all the powers of Europe together, who own American colonies. I know it may be said, that there is no compulsion, and that the whole of this revenue is from voluntary purchase. True, sir, but, is this parental Government to look, in the spirit of Shylock, only at the bond? If its policy, by whatever circumstances, has practically operated to drain one portion of the country of its money, ought not the Government, like a wise and considerate parent, to counteract

this enfeebling process, by the adoption of a broad and beneficent national policy, especially when that may be done, not only without doing injury to any other part, but so as to advance the prosperity of all? With this appeal to the equitable feelings and the sound discretion of the committee; I shall close what I have now to say; and, as it was with reluctance that I rose, I now sit down with equal pleasure.

POLITICAL HORSE RACE,

OR

THE PRSIDENTIAL CONTEST.

As Racing has become a fashionable amusement of the day—whether it be the racing of *grooms* or *politicians*, I have here undertaken to amuse the lovers of sport with the details of a splendid political *sweepstakes*, which I recently witnessed.

It has been announced by *stewards* of the *turf*, that, agreeably to the provisions of the Jocky Club, on a certain day, a Jocky Club Race would be run over the *United States track*, free for the entrance of any horse or gelding, *mares* being excepted; said horse or gelding being a *native of the United States*, and aged *thirty-five years or over.*—The distance—once round the turf—the course, embracing the whole twenty-four United States of America. The weight to be carried by horses, nothing more than the obloquy which the respective riders of each could throw upon the nags of the other. The entrance *gratis*. The purse, the reward of speed and bottom, furnished by the jocky club, was a *Liberty Cap*, which invested the successful *candidate* with the Presidency of *these United States, for the term of four years, from and after the fourth day of March, one thousand eight hundred and twenty-five.*

The magnificence of the prize, produced great interest and excitement; and it was supposed the turf would be crowded with the distinguished racers of the continent.—Indeed for a long time previous to the day of *trial* the *public prints* were incessant in their annunciations of celebrated coursers, who would become competitors in this contest. But when the day of entrance came, and the books were closed, the following five candidates were alone placed on

the list—to wit: the ADAMS, the JACKSON, the CLAY, the CALHOUN, and the CRAWFORD. (N. B. It is said the *Dewit Clinton* of New York—a steed of no small celebrity, would have also entered, had not some of the jockies of that state, last year, wilfully *lamed him.*)

But to enable the reader to enter fully into the interest which the contest excited, I will add a brief sketch of the *pedigree* and *performances* of the five nags which were entered.

The ADAMS is a horse of illustrious ancestry. He was begotten by the celebrated *John Adams* who ran with much distinguished applause during the revolutionary war; and although his *performances* in the latter part of his life detracted much from that high and deserved reputation which his early success had acquired for him—having been in old age, beaten and distanced by the pride of Virginia, that matchless courser the *Jefferson*—still he was unquestionably a horse of no mean prowess. The friends of the old Adams, however, attributed the defeat which he received at the hands of the Jefferson, to bad keeping; and threw the blame upon one of his grooms named *Hamilton*; but wholly without authority, for the Jefferson was evidently his superior. But jockies, you know, are fruitful in excuses when ill fortune attends their nags. The high blood of the Adams seems to have been more sanguinely relied on than either his figure or his previous performances; for he is an obese, stout buttocked animal, and his excellence in racing partakes not of downright turf running, such as we now speak of, but rather of the right airy ambling of the Pegasus breed. It is with difficulty he can be kept in the *track*, so much is he addicted to *bolting*. He displayed his propensity in this way in the year 1807. When running against some horses called the Republicans over the course called the Senate, he suddenly reared, plunged, and kicked up—threw off his rider, one OTIS, whom he repeatedly stamped, and forthwith dashed into a rich green *cloverfield* that bordered the margin of the course, where he has ever since remained, *grazing on the fat of the land*. His sire was also vehemently addicted to this practice of bolting. The Adams has been frequently sent to Europe by the Ameri-

can Jockies; but it is said the expenses attending the *outfits &c.* always amounted to more than his winning. He was raised in Massachusetts; or rather he was *born* there, he was *trained* in Europe, having gone to that country when but eleven years old, and remained there many years, under the guidance of some royal grooms.

The JACKSON is a tall, slim horse; but "of mighty bone and bold emprise." He is moreover exceedingly spirited and high mettled. In his own state (Tennessee) he has run with wonderful success; never having lost a race there or elsewhere; but it is the splendid *victory* which he obtained over the noted British horse, PACKENHAM, on the ORLEANS TURF, on the 8th of January, 1815, which has given him such distinguished reputation. The *Packenham* was a full blooded courser—akin to the invincible *Wellington* who beat the far famed NAPOLEON on the field of *Waterloo.* The *Packenham,* was expressly picked by the British king, from amongst his whole studs, and sent to the Orleans turf expressly to encounter an *American horse;* yet the *Jackson* distanced him the first round. It is universally admitted, even by the knowing ones of England, that the Jackson ran that race *in exceeding quick time.* The Jackson has also, beaten the Creek, the Seminole, and the Florida horses, of some note.

As to the CALHOUN, he is a mere colt, scarcely *bridlewise.* His former performances had given no reputation—and the knowing ones were astonished at the rashness of his keeper in placing him in competition with such tried speed and bottom. He is, 'tis true, a sprightly, lively looking colt, but he has not one of the *marks or points of a first rate.* His backers frequently indicated a disposition to withdraw him, and venture their funds on the *Adams;* but in their councils "madness ruled the hour," and he appeared upon the course a candidate for dominion.

The CLAY is an airy, supple jointed fellow, of bright and cheerful countenance. He comes from the backwoods of Kentucky, where he has run with such success, at county gatherings that in that state he has no competitor. In 1814 he ran at *Ghent,* where some American horses, and among others the Adams, were matched against the steeds of Eng-

land, and success crowned the *heels* of the Americans. It is thought by some that the Adams did not on that occasion maintain the interest of the whole American sportsmen; but that he ran only for the Cape Cod jockies.—The western sportsmen had liked to have lost their all by him, and would, but for the Clay.

The CRAWFORD is a tall, majestic figure, with wonderful, bone, muscle and sinew. His tread *firm* and indicative of great strength and activity. He sprung from the old Virginia stock of racers; one of the best strains in these United States.—Vide the American racing calendar, title, Washington, Jefferson, Madison, and Monroe,)—when young he was taken to Georgia, and there occasionally ran a few cider races successfully, when his owners, emboldened at his success, ventured to enter him in the *State* jockey club, where he defeated the favorite horse of Georgia, although often opposed by that dare devil, the *Jack Clark*, a nag of some distinction in that quarter, who has lately, however, become *spavined, splinted* and *stringhalted*. It is singular that the supporters of all the other nags vied in their abuse of this horse and his performances.

Such are the characters of the horses which paraded on the day of trial. All of them had acquired reputation in their *provincial* racing, but how they would play their parts, when opposed to each other on the great theatre of the national turf, was all "doubt and darkness." Bets were various—and the vociferations of praise by the friends of the respective nags were boisterous and constant. The shrewd Yankee was ready to risk his whole crop of onions, together with the fruits of his year's toil in the cod fishery, on his favorite Adams. Hundreds of the sons of old Kentucky were around the Clay, who made the "welkin ring" with their shouts. They said "he was half horse, half alligator, and tipped with the snapping turtle"—Nay, they avowed he was a very *steam boat*—a Mississippi sawyer!' They swore "he was the best horse on the turf, and that they could out run, out jump, out shoot, throw down or whip any man or set of men who dared to contradict them."

A faint uproar of approbation was occasionally heard from the friends of the *Calhoun*, but it was "*a dying sound.*"

The Georgians and Virginians were loud in their plaudits —They offered to stake piles of *Virginia sweet scented, and Georgia uplands*, on the *Crawford*. The Yankees looked with a yearning eye at the *hogsheads* and *bales*, and sinned most heinously in their hearts, against that commandment, which *forbids the coveting of thy neighbor's property*.

The *Jackson* had about him some staunch friends, though few in number. They talked of the *ever glorious eight*, and swore "by the *deeds* he had done," that *he* "was the horse of horses!"

The *Adams* had been long in training—He had been under the care of two famous sporting associations called the "Essex junto" and 'Hartford Convention,' whose system of training was fashioned *after the English plan*

The *Clay* was trained chiefly in Kentncky, *amongst the people*, and rubbed down occasionally *by the friends of South American independence* and the *Mississippi boatmen*.

Some Dutch wagoners in Pennsylvania had the keeping of the Calhoun, who stuffed him with *rye straw* and *wheat bran;* a sort of food that merely tend to *puff* him up, without invigorating him with any real *strength*.

The *Jackson* might be said to be without keepers; at least he had none of experienced professional skill. His backers said he was at the service of the jockey club—that he required no *keeping*, and that he was always ready *if the people should think fit to start him*. No studied preparation had therefore been made, and he came upon the ground full and rough—relying on his native strength unaided by the skill of the Jockies.

The *Crawford* was in famous plight. He was at first managed by some Georgia jockies He was thence, taken to the *old dominion*, where he was again looked after by some of the old grooms, of *ninety-eight*: the same who had trained the Jefferson, when beat "t'other Adams." Mordecai Noah of New York also "ever and anon," took him through a course of exercise.

The State of Maine was selected as the *starting post*. There on the appointed day the *candidates* met, and from thence they were to run throughout the whole twenty-four States.

The beating of the drums announced that the hour for the riders to mount had arrived. The rattling of this instrument of war electrified *Old Hickory*. It was to the same music he ran when he tried his speed with the *Packenham*. He pricked up his ears, bowed his neck, champed his bit and carried loftily. But this note of war greatly affrighted the Adams, whose spirits are always startled at "wild war's deadly blast:" and his friends were greatly shocked at sounds so offensive to the feelings *of a peaceable and religious people.*

The Editor of the National Gazette was selected as the rider of the Adams, who has acquired some distinction both in this country and in Britain, as a rider. His system of political horsemanship partakes more of the English than American mode. And it is moreover said he is quite capricious in relation to his tenets, alternately the votary of "doctrines fashioned to the varying hour." He mounted his *candidate* for dominions; and the richness and gaudiness of his dress filled *the people* with amazement. He was clothed in *purple*; and on his head he wore a cap shaped like a *crown*; attached to this crown, floated in the air two ensigns impressed with appropriate mottos—the one however was soon tied up; the other rattled in the wind, and displayed the inscription. "*We are all Federalists—We are all Republicans!*" It was, however, whispered about that this was the same flag which the *Adams* carried when he ran in Massachusetts under the fictitious name of *Publicola;* and it was apparent that the *ground* of the ensign had been newly *painted;* that the old inscription had been brushed out, and this new one substituted in its stead.

Noah, one of the Crawford Jockies, a keen lynx eyed fellow, was seen to gaze slyly, yet intently, at this ancient banner, hinted that vestiges of the ancient writings were visible; a transcript of which being submitted to that burrower after antiquities, Dr. *Mitchell* he produced the true and original reading to be thus: "*Huzza for the Alien and Sedition Laws!—Standing Armies and Direct Taxes!*" The rider carried in his hand a whip made of a certain timber called 'direct taxes,' admirably calculated for *scourging*.

The *Adams* carried heavy weight, fastened upon him by

the opposing grooms, consisting of huge masses of *federalism* and *aristocracy*. It was thought those burthens would not greatly impede his progress in passing over the dry sandy soil of the New England States; but it was believed they would cause him to stick fast in the deep rich and loamy grounds of the west.

He was led to the starting post by a *federalist* of the Boston turf.

The *Clay* was mounted by *one of the people;* a rough hardy Kentuckian, dressed in a linsey-woolsey hunting shirt fastened around him, a coarse leathern belt, with deer skin moccasins, with "a blue and white cotton handkerchief," tied round his head. He carried a whip, a mere twig, cut from the tree *persuasion*. His bridle reins were made of *the people's will*. He too unfurled an ensign, which bore "*The Western States and the Mississippi!*"—The only extra weight which the *Clay* carried consisted in an old dirty pack of cards, heretofore much used, but apparently long since thrown by, which the *Adams* jockies sneakingly thrust into the girdle of his rider.

A "*Western Citizen*," conducted the Clay to the polls, who merrily chanted as he led him up,

> My bonny brave horse has come out of the West,
> And in all the great valley this steed is the best.

A square built *mynheer* of Pennsylvania led the *Calhoun* to the charge, who pitched upon his back a mere catch (the editor of the Franklin Gazette,) as his rider. The little groom was always weighed down by epauletts, sashes, lace buttons, embroidery and plumes. He wore a fierce *chapeau* to which was affixed a golden plate with this inscription, "*The Army Candidate.*" 'Twas cruel to oppress this *yearling* with additional weight; but an unfeeling Crawford jockey thrust into the knapsack of the rider a huge *Rip Rap Rock*, which almost frustrated the frisky rider.

The *Gallant war horse* JACKSON was led to the poles—The Editor of the Columbian Observer officiated as his principal attendant, though his assistance had previously been given to the *Clay*. He was rode by the Editor of the Nashville Gazette, who owing to the spirit of his steed, was mounted without whip or spur. He wore an old *Con-*

tinental three cornered cocked hat, with ensigns pendant, in which were inscribed "*Camden Tahoopka, New-Orleans.*" The Clay folks ungenerously endeavored to fasten to his croup a heavy southern mineral called *Arbuthnot*, which, however, the noble animal shook off entirely before he started.

Next "*in gallant trim*," was marshalled at the polls the lofty *Crawford*.—His undaunted air, perfect figure, and agile tread, called forth the plaudits of the great assemblage —The Editor of the National Advocate, the famous New York keeper, the same who last year lamed and pricked the *Clinton*, led the Crawford to the polls—The Editor of the Enquirer, a lad bread in the best Virginia stables, was seated on his back. In his dress were blended the fashions of the white man and of the Indian. On his flag glared in large Capitals, "STATE RIGHTS"—"ECONOMY"—,'REPUBLICANISM OF NINETY-EIGHT"—and in the back ground a painting, a representation of an encounter, in which the bow of Cupid overcomes the scalping knife of the Savage, designed as an emblem of the new mode of inculcating civilization by means of the pleasant process of intermarriages.

He carried neither scourge nor goad. His enemies thrust under his saddle large bundles of misstated Treasury Reports, *Suppressed Documents*, *&c.* but his rider, with the slight of *hocus pocus*, freed himself from these incumbrances. They attempted too, to point out a speck of *Federalism*, which they said had attached itself to him, but it was bedizzened by the resplendent dapples of Republicanism which pervaded his whole body.

The competitors were at length marshalled at the *post*. The Judges gave the word—GO! a hurra! was shouted by the multitude, and off dashed the gallants; an empire the prize.

They started in the State of Maine through which state they were two tracts, viz: the *Missouri Tract* and the *Maine Tract*. The Crawford promptly selected the Missouri route, which he steadily pursued, and at the onset ran far ahead of the Adams, who lost much time in temporising, in first trying the advantages of one track, and then of the

other, to catch the most popular breeze. At length having gotten into the current, he spread all his canvass, and then ensued a vigorous contest between the Crawford and the Adams, which however resulted in the supremacy of the latter. Throughout New Hampshire the Adams continued to lead the van. The same success continued to attend him as he onwards passed over Vermont; but as they dashed along the Green Mountains, the old Warriors of the Revolution shouted zealously for Old Hickory, who made a run at the Adams under this cheering, but ineffectually. Massachusetts was next entered, the Adams, far ahead.—Here the rider of the Adams unfurled his heretofore *concealed* banner, which displayed "*The Hartford Convention!*" and amongst those people who have so long cried "*England is the Bulwark of our Religion.*" The effect which these talsimantic words produced was prodigious. Fanueil Hall resounded with cheers. Throughout the Adams led the way.

Once however he was suddenly checked in his career, on the plains of Lexington, by the shades of those whigs, whose bones are bleaching on those fields. They essayed to tear from the crown of his rider the traitorous ensign which he had just unfurled.

The state of the turf in this state seemed happily fitted for the successful progress of the Adams, whilst the other nags rode on a soil peculiarly heavy to *republican hoofs.*

No change was noticed in their progress through Rhode-Island; but as they reached the confines of Connecticut, the Adams evidently flagged, notwithstanding the most vehement application of the spur, whilst the others seemed to acquire new vigor.

At *Stonington* the whole *field* passed the Adams, who was at that time terribly frightened at the carousals of the people of that village who were just then celebrating the anniversary of their victory over Commodore Hardy. "The gentleman of Philadelphia," who rode the Adams, was much vexed at this accident, and declared it "unbecoming a religious and moral people to rejoice at their victories over their enemies."

This accident brought all the competitors together, and in a pretty well started line they all entered the state of

New York. In this state there was no *sham* riding. It was deemed by all an important stage in the contest. The struggle was vehement on the part of each. The *Crawford* led the way, pressed however, frequently up to the girth by the Adams. In this state the rider of the Adams douced his "Hartford Convention" flag; but not so completely as to obscure entirely a glimmering of the *ancient inscription.* The times had changed—New York "was herself again." The rider of the Adams tried each art to urge the dull delay of his beast. A volatile genius, he had been "every thing by starts and nothing long." He rode sometimes in *federal style*, sometimes in English style, and sometimes in the republican way, though awkwardly enough 'tis true, but to no advantageous end. The Crawford led the way; and this excited no astonishment in those who were apprized that Noah had taught Richie how to avail himself of all the near cuts in this mighty state. The course of the *Adams* in that state, was too devious for one who had but little time to spare. The poor Calhoun was greatly distressed. The Clay made a vigorous, but unsuccessful effort. The *Jackson* was doing well, but when he leaped across the great *canal* his rider shouted, "Huzza for Dewitt Clinton!" which so vexed the *Tammanies* that they threw every sort of rubbish and obstruction in his path. New Jersey also became the arena of a vigorous contest, and it is difficult to say which acqirued the victory.—But it is believed the Adams maintained a general superiority in that state; though as they bounded across the *fields of Princeton* and *Trenton* the Jackson gained the front and was the first to enter the frontier of Pennsylvania. In this state the success of each was various and alternate. Much fine running was displayed at this stage, and a variety of dexterous feats were performed by the riders, chiefly by those of the Adams, the Calhoun and the Jackson—accompanied with a Billingsgate altercation, but little credible to the parties.—But so soon as they entered the confines of Maryland the Crawford whipped ahead and dashed throughout the state acknowledged victor. Near Baltimore another accident befel the Adams. He bolted at the sight of the star spangled banner, which floated "like a streamer long-

and gay," triumphantly on the ramparts of *Fort M'Henry*. In Virginia though held hard in hand, the Crawford ran far ahead. His antagonist could scarcely keep within sight of him. He seemed to be wafted on the wings of the wind:

"————and as he flew
Left all the world behind."

At Richmond the Adams again flew the track, such was his horror at the "*Prospect before us!*" Pursuing his unchecked career, the Crawford rushed triumphant across the state of North Carolina. On entering the boundaries of South Carolina the progress of Crawford was marked with less velocity; for he was speedily overhauled by the *Calhoun*. But he did not tamely yield to the latter, for a warm disputation ensued, which attracted the curiosity of one Mr. Senator Smith to such a degree that in attempting to cross the path of the Calhoun, he was shockingly *trampled upon*. Since the occurrence, he has *spoken two or three times to the people*, but it is believed such is the nature of his bruises, that he will never entirely recover from their effects. The Calhoun prevailed in South Carolina, but just as he had placed himself in a jumping position, to leap across the Savannah river into the state of Georgia, one *Cumming*, a noted shooter in that quarter, who had taken a sly *squatting position* on the Georgia bank, fired a huge blunderbuss charged up to the muzzle with *Cologne Water*, direct into his face, which being neither covered with silk or *oak bark*, was not impervious to the *touch* of this sensisitive load of the assailant, and the consequence was, that the Calhoun twisted, wheeled and fell—to run no more.

Over the sands of Georgia the Crawford bounded with the swiftness of an Antelope; and as he passed through *Augusta*, a zealot fired at him a squib, charged with *Federalism*, but if the contents even *scratched* him, the wound was instantly healed by one Dr. Abbot a noted farrier. To reach the state of Tennessee, the Indian territory had to be crossed, and the whitemen who had settled there *purely* however to teach the aborigines *civilization* by means of the process of *matrimony*, greeted him with the yells of

victory. The parties militant next struck the soil of Tennessee, and then it was that the Jackson flew,

"——like an arrow——
Shot by an archer strong."

He rushed with the impetuosity of a mountain torrent; the Clay next, then the Adams—the Crawford falling far in the rear, overcome with the efforts he had made in the Southern States. But the Jackson's triumph was but short lived. He yielded the van as the last shouts of the Tennessee volunteers died in his ears—as they entered the borders of Kentucky, the Clay, who had heretofore leisurely trailed in the rear, save a spurt or two which he made in New York and Pennsylvania, seemed as fresh as when he started, such was the case with which he passed every thing in Kentucky. He penetrated *Ohio* still distancing his rivals. The rider of the Adams saw that the day was against him, and that as speed and bottom had failed him, he must resort to skill. He threw out his "*Universal Yankee nation*" banner, and adroitly displayed it to the people as he rushed along, but to no purpose; the charm was gone. Indiana was another theatre of the triumph of the Clay; but when the State of Illinois appeared to their view, the Crawford, somewhat reflushed, essayed to pass him, and made a splendid run, notwithstanding an ill-natured *Cook*, threw at him a mangled carcass *cooked with his own hands*, as a terrible raw head and bloody bones to affright him.—In Mississippi the contest was interesting for a while—The Crawford nearing the Clay up to the shoulders.

In this state was seen the last of the *Adams*. A cruel master was in the very act of scourging his naked manacled slave, on the margin of the tract, just at the moment when the Adams passed along. A scene so schocking to the feelings of this sensitive horse, so frightful to his vision, overcame him, and he snorted, reared and bounded across *a certain degree of North Latitude*, beyond which the cries of the bondman are *never* to be heard and sought an exclusion from deeds so revolting to his nature, carrying with him his rider, the *Mazeppa* of modern times. Adown the state of Louisiana the Clay led the way.—But when the plains of Orleans burst upon the sight of the Jackson; the recollec-

tion of times gone by impelled him to an exercise of his mightiest efforts. He was just in the act of passing the Clay, and when he thought "his fortunes were a ripening fast," he suddenly found his career checked by barriers, formed of a timber called the *"habeas corpus suspended,"* extending athwart his path, and reared by a croud of little noisy chaffering Frenchmen. Amazement possessed him! "You too, Brutus?" exclaimed his rider. The noble animal stopped—his energies relaxed—the rider dropped his rein and uttered INGRATITUDE! It was a shameful act. The people of Louisiana had ventured their lands and houses —*their domicils, their wives and their daughters*, on this same Jackson when he contended against the Packenham. He preserved them! restored them! he triumphed and they were enriched! "So goes the world!" The Jackson was withdrawn from the contest—The Clay and the Crawford bounded across the father of waters, and contended for supremacy in the state of Mississippi, and there the Crawford renewed his sway. The little state of Alabama was the last point of the compass which was boxed; and in gallant triumphant style the Crawford passed the winning post!—And thus terminated the race for dominion.

The Judges awarded the prize to the Crawford, and in all due form he was installed *President of the United States.*

Strange! some will say, that a *Horse* should reign over intelligent beings!—Reader! rather *rejoice* that it is not our fate to be governed by an *Ass!* It is the lot of hundreds of nations to be ruled by the latter. History abounds in instances. Horses too have had some share in governing, if the chronicles are faithful. That furious madman, Caligula, made his horse Incitatus, the member of a College, and it is added that he was the most worthy member of the institution. He also created him High Priest, and it is not shown that he was less devout than his fellows.—Incitatus, through his master's favor, also rose to the rank of *Consul*, and we see nothing in his history of that tyranny and rapacity which marked the administrations of the other Roman Governors.

O'KELLY.

NAVAL PEACE ESTABLISHMENT.

MESSAGE FROM THE PRESIDENT.

To the House of Representatives of the United States:

In compliance with a resolution of the House of Representatives, of the 15th of December last, requesting the President of the United States "to communicate a plan for a Peace Establishment of the Navy of the United States," I herewith transmit a report from the Secretary of the Navy, which contains the plan required.

In presenting this plan to the consideration of Congress, I avail myself of the occasion to make some remarks on it, which the importance of the subject requires, and experience justifies.

If a system of universal and permanent peace could be established, or if, in war, the belligerent parties would respect the rights of neutral powers, we should have no occasion for a navy or an army. The expense and dangers of such establishments might be avoided. The history of all ages proves that this cannot be presumed; on the contrary, that at least one half of every century, in ancient as well as modern times, has been consumed in wars, and often of a most general and desolating character. Nor is there any cause to infer, if we examine the condition of the nations with which we have the most intercourse and strongest political relations, that we shall, in future, be exempt from that calamity, within any period, to which a rational calculation may be extended. And, as to the right of neutral powers, it is sufficient to appeal to our own experience to demonstrate how little regard will be paid to them, whenever they come in conflict with the interests of the powers at war, while we rely on the justice of our cause and on argument alone. The amount of the property of our fellow

citizens, which was seized and confiscated, or destroyed, by the belligerent parties, in the wars of the French revolution, and of those which followed, before we became a party to the war, is almost incalculable.

The whole movement of our government, from the establishment of our independence, has been guided by a sacred regard for peace. Situated as we are, in the new hemisphere; distant from Europe, and unconnected with its affairs; blessed with the happiest government on earth, and having no objects of ambition to gratify; the United States have steadily cultivated the relations of amity with every power. And if, in any European wars, a respect for our rights might be relied on, it was undoubtedly in those to which I have adverted. The conflict being vital the force being nearly equally balanced, and the result uncertain, each party had the strongest motives of interest to cultivate our good will, lest we might be thrown into the opposite scale. Powerful as this consideration usually is, it was, nevertheless, utterly disregarded, in almost every stage of, and by every party to, those wars. To these encroachments and injuries, our regard for peace was finally forced to yield.

In the war to which at length we became a party, our whole coast from St. Croix to the Mississippi, was either invaded or menaced with invasion; and in many parts, with a strong imposing force, both land and naval. In those parts where the population was most dense, the pressure was comparatively light; but there was scarcely an harbor or city, on any of our great inlets, which could be considered secure. New York and Philadelphia were eminently exposed, the then existing works not being sufficient for their protection. The same remark is applicable, in a certain extent, to the cities eastward of the former; and as to the condition of the whole country southward of the latter, the events which marked the war are too recent to require detail. Our armies and navy signalized themselves in every quarter where they had occasion to meet their gallant foe, and the militia voluntarily flew to their aid, with a patriotism, and fought with a bravery, which exalted the reputation of their government and country, and which did them the

highest honor. In whatever direction the enemy chose to move with their squadrons and to land their troops, our fortifications, where they existed, presented but little obstacle to them. They passed those works without difficulty. Their squadrons, in fact, annoyed our whole coast, not of the sea only, but every bay and great river throughout its whole extent. In entering those inlets, and sailing up them with a small force, the effect was disasterous, since it never failed to draw out the whole population on each side, and to keep it in the field while the squadron remained there. The expense attending this species of defence, with the exposure of the inhabitants, and the waste of property, may readily be conceived.

The occurrences which preceded the war, and those which attended it, were alike replete with useful instruction as to our future policy. Those which mark the first epoch, demonstrate clearly, that, in the wars of other powers, we can rely only on force for the protection of our neutral rights. Those of the second demonstrate, with equal certainty, that, in any war, in which we may be engaged hereafter, with a strong naval power, the expense, waste, and other calamities, attending it, considering the vast extent of our maritime frontier, cannot fail, unless it be defended by adequate fortifications and a suitable naval force, to correspond with those which were experienced in the late war.

Two great objects are, therefore, to be regarded in the establishment of an adequate naval force: The first, to prevent war, so far as it may be practicable; the second, to diminish its calamities, when it may be inevitable. Hence, the subject of defence becomes intimately connected, in all its parts, in war and in peace, for the land and at sea. No government will be disposed, in its wars with other powers, to violate our rights, if it knows we have the means, are prepared, and resolved to defend them. The motive will also be diminished, if it knows that our defences by land are so well planned and executed, that an invasion of our coast cannot be productive of the evils to which we have heretofore been exposed.

It was under a thorough conviction of these truths,

derived from the admonitions of the late war, that Congress, as early as the year 1816, during the term, of my enlightened and virtuous predecessor, under whom the war had been declared, prosecuted, and terminated, digested, and made provision for, the defence of our country, and support of its rights, in peace as well as in war, by acts, which authorised and enjoined the augmentation of our Navy, to a prescribed limit, and the construction of suitable fortifications throughout the whole extent of our maritime frontier, and wherever else they might be deemed necessary. It is to the execution of these works, both land and naval, and under a thorough conviction that, by hastening their completion, I should render the best service to my country, and give the most effectual support to our free republican system of government, that my humble faculties would admit of, that I have devoted so much of my time and labor to this great system of national policy, since I came into this office, and shall continue to do it, until my retirement from it, at the end of your next session.

The Navy is the arm from which our government will always derive most aid in support of our neutral rights. Every power engaged in war, will know the strength of our naval force, the number of our ships of each class, their condition and the promptitude with which we may bring them into service, and will pay the due consideration to that argument. Justice will always have great weight in the cabinets of Europe; but in long and destructive wars, exigencies often occur which press so vitally on them, that unless the argument of force is brought to its aid, it will be disregarded. Our land forces will always perform their duty in the event of war; but they must perform it on land. —Our navy is the arm which must be principally relied on for the annoyance of the commerce of the enemy, and for the protection of our own: and, also, by co-operation of the land forces, for the defence of the country. Capable of moving in any and every direction, it possesses the faculty, even when remote from our coast, of extending its aid to every interest on which the security and welfare of our Union depend. Annoying the commerce of the enemy, and menacing, in turn, its coast, provided the force on each

side is nearly equally balanced, it will draw its squadrons from our own; and, in case of invasion by a powerful adversary, by a land and naval force, which is always to be anticipated, and ought to be provided against, our navy may, by like co-operation with our land forces, render essential aid in protecting our interior from incursion and depredation.

The great object, in the event of war, is to stop the enemy at the coast. If this is done, our cities, and whole interior, will be secure. For the accomplishment of this object, our fortifications must be principally relied on. By placing strong works near the mouths of our great inlets, in such positions as to command the entrances into them, as may be done in many instances, it will be difficult, if not impossible, for ships to pass them, especially if other precautions, and particularly that of steam batteries, are resorted to, in their aid.—In the wars between other powers, into which we may be drawn, in support of our neutral rights, it cannot be doubted that this defence would be adequate to the purpose intended by it; nor can it be doubted that the knowledge that such works existed, would form a strong motive, with any power, not to invade our rights, and thereby contribute essentially to prevent war. There are, it is admitted, some entrances into our interior, which are of such vast extent, that it would be utterly impossible for any works, however extensive, or well posted, to command them. Of this class, the Chesapeake Bay, which is an arm of the sea, may be given as an example. But, in my judgment, even this bay may be defended against any power with whom we may be involved in war as a third party, in the defence of our neutral rights. By erecting strong works at the mouth of James River, on both sides, near the Capes, as we are now doing, and at Old Point Comfort and the Rip Raps, and connecting those works together by chains, whenever the enemy's force appeared, placing in the rear some large ships and steam batteries, the passage up the river would be rendered impracticable. This guard would also tend to protect the whole country bordering on the bay, and rivers emptying into it; as the hazard would be too great for the enemy, however strong his naval force, to ascend the bay,

and leave such a naval force behind; since, in the event of a storm, whereby his vessels might be separated, or of a calm, the ships and steam batteries, behind the works might rush forth and destroy them. It could only be in the event of an invasion by a great power, or a combination of several powers, and by land as well as by naval forces, that those works could be carried; and, even then, they could not fail to retard the movements of the enemy into the country, and to give time for the collection of our regular troops, militia, and volunteers, to that point, and thereby contribute essentially to his ultimate defeat and expulsion from our territory.

Under strong impressions that a Peace Establishment of our Navy is connected with the possible event of war, and that the naval force intended for either state, however small it may be, is connected with the general system of public defence, I have thought it proper, in communicating this report, to submit these remarks on the whole subject.

JAMES MONROE.

Washington, January 30, 1824.

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REPORT OF THE SECRETARY OF THE NAVY.

NAVY DEPARTMENT,

January 24, 1824.

SIR:—In compliance with the resolution of the House of Representatives, of the fifteenth December last, "that the President of the United States be requested to communicate a plan for the Peace Establishment of the Navy of the United States," I have the honor to present, for your consideration, a plan for re-organizing the naval establishment. It is designed merely as the project of a bill, to exhibit the principles which are deemed beneficial in their application to the service, without regard to the words or form of the law, should one be founded upon it; and is accompanied by a variety of tables and estimates, calculated to explain and illustrate its operation.

In fixing the naval establishment, the first objects of attention are, the number and size of the vessels which are

to be built, both for peace and war. By them the number and grade of the officers, and the number and size of the navy yards, stations, and depots, must be regulated. Considerations peculiar to each of these, naturally come into view, but the whole must have relation to the first object. The management and discipline of the service, must be governed by a code of rules and regulations, adapted to the character of the establishment. Such a code must be prepared, should this or any other project be carried into execution; but, as it must be founded upon the law, and be consistent with its principles, it cannot be prepared until after the law has been passed. To determine the number and grade of officers of which the establishment ought to consist, it is necessary, first, to ascertain the proper number and importance of navy yards and stations, and the number and class of the vessels which the situation of the country requires to be kept in commission, and in active service; and, secondly, how many ought to be kept in readiness for a state of war. The former will prescribe the limit below which we cannot descend without a disregard of the public interest. The latter will exhibit a point above which we need not rise. The former is indispensable; prudence and policy demand that we provide for the latter.

It is believed, that the naval stations at Erie and Whitehall are not useful now, and that no course of events can hereafter render them necessary to the public defence. Two only of the vessels at Sackett's Harbor are worthy of preservation, and they can be protected by a few men. The two former of these stations may, therefore, be abandoned, as soon as the public property at them can be disposed of or removed; and the latter may be maintained on a very reduced scale, at an expense of nearly $2,000. The three stations now cost, annually about $27,000.

When proper depots shall be selected and established, several of the existing yards and stations on the Atlantic board may be altogether abandoned, or the expense of them greatly curtailed, by maintaining a few officers and men to minister to the wants of vessels which necessity shall compel to visit them, either for provisions or repairs. But, as there are vessels on the stocks, at six of these yards, none of

them can, at this time, be abolished; but the expense of them may be somewhat diminished. Their number and situation are well known, and their annual cost may be seen by paper D, annexed to the bill. In the report from this Department, at the commencement of the session, the force is mentioned which it was proposed to keep in commission during the present year, and a hope expressed that it might be found sufficient to accomplish the protection and defence of our commercial and other interests. That force, however, was calculated for a state of the most peaceful and friendly relations, and looked only to the interests then mentioned, without reference to the policy of promoting the growth of the navy, or any of those considerations which arise from changes in our relations with other powers, or the propriety of such a disposition of our naval force, as shall enable us to pass with least injury, from the attitude of peace to that of war; and give to our officers the skill and experience which will fit them to defend and protect the honor and interests of the nation. In re-organizing the navy, these considerations cannot be overlooked. And it is believed that there is enough in the state of the world, and our own situation, to prevent us from being unmindful of them at this time. It seems to be our duty to keep such a force in commission, as will protect all our scattered interests, secure the respect of other powers, and give active service sufficient to qualify as many officers as will be required to command and manage the whole of our vessels, when necessity shall call for their use. Long and active employment are essential to give naval skill and experience; and without them our vessels are insecure, and our character as a nation, in danger of being degraded. It were better to have no ships than to have them filled with incompetent and unskilful officers.

The following is the least force which it would be safe to provide for, and keep in commission, and in active service: In the Mediterranean, one ship of the line, one frigate, one sloop of war and one schooner: In the Atlantic, including our own coast, the West Indies, the Gulf of Mexico, and the coast of Africa, one ship of the line, one frigate, four sloops of war, and four schooners: In the Pacific, one frigate, two

sloops of war, and one schooner: For occasional services, in which the vessels on those stations cannot be employed, one frigate and one sloop of war: In the whole, two ships of the line, four frigates, eight sloops of war, and six schooners.—Many of these vessels will be on distant stations, in going to and returning from which, much time must be consumed; and will require frequent repairs, refitting, and exchange of crews. Other vessels must, therefore, be kept in commission, to relieve them, and a force, equal to about one-fifth of the whole amount, will be necessary for this purpose.

It is, then, respectfully submitted, that the number of officers and men required for the navy yards and stations on the Atlantic board, and for the vessels before mentioned, is with the proper allowance for sickness and casualities, the lowest for which provision can safely be made, in the contemplated organization of the naval establishment. It is for this, with other reasons, hereafter mentioned, that the project submitted in the first section mentions this number as the least which the President of the United States shall be permitted to retain.

When the vessels now authorized by law to be built, are completed, there will be (besides those on the lakes) 12 ships of the line, 12 frigates of the first class, 3 frigates of the second class, 3 steam batteries, one other post ship, 6 schooners, including the Spark, and 15 sloops of war, should Congress order ten more to be built.—These, when in commission, together with the shore stations, will require the number of officers mentioned in the second section, and which is, therefore, taken as the largest which it is at this time necessary to authorise. The vessels having been built, and being designed for our protection from foreign aggression, we must train officers to command and manage them. It is worse than useless to have vessels, which cannot be employed for the want of officers, and great folly to entrust them to those whose ignorance and inexperience will endanger their safety. The experiment would be alike hazardous and prodigal. An effort has therefore, been made, in the proposed organization, so to arrange the grade and number of officers, as not only to manage, in the best

way, the force necessary for present use, but to enable us, in the most rapid, cheap, and efficient manner, to pass into a state of war, and employ all our vessels in active service. By comparing the first and second sections, it will be perceived that the officers of the highest grades, requiring the greatest skill and experience, which are proposed to be retained, will be competent to the command of all the vessels: and that, by the promotion of some of the most skilful, from the inferior grades, and introducing as many as may be necessary, into the lowest, where skill is least needful, the whole will be organized with facility. But, in order to fit the officers of the inferior grades for promotion, it is indispensible that the force before mentioned be kept in commission, and the officers named in the first section, be employed as constantly as circumstances will permit. With the vessels now in commission, this object cannot be accomplished. A great portion of the science of the naval commanders can be acquired only on the ocean, and by years of labor and discipline. It is in vain to hope for a triumphant defence of our national interests and character there, without we thoroughly train, educate, and discipline those who have to fight our battles. To ensure such a defence, beyond hazard, it is confidently believed, that the nation will cheerfully meet the requisite expense. Connected with this point, it is not improper to suggest, that the early education of most of our officers, is very unequal to the character they have subsequently to sustain, and that an effectual remedy can be founded only in the establishment of a naval school.

We have no rank above that of a Captain. The proposed organization gives three higher grades. It is not supposed proper to furnish with minuteness, in this report, the whole argument in favor of this increase, as if it were a new question. It has been frequently presented to the public consideration. The experience of all nations, both in land and naval forces, has led to the same result in relation to it. No one has ever been able to command her armies or her fleets by Captains. And our experience does not justify us in believing that our success in such an experiment will be greater. Rank is necessary to enforce discipline;

the orders of a superior are always more readily obeyed than those of an equal in grade. Rank is equally necessary to ensure the science required to command an extensive force, which differs from, and is of a much higher character than that which is competent to the command of a single vessel; the desire, also, to reach the higher rank, will create strenuous exertion to acquire the information which is suited to it, and operate extensively on the general character of the whole corps. If you would induce your officers to prepare themselves for any service, you must present to them the certainty of having that service to perform; and that their duty and honor equally demand that they peform it well. It is no reproach to them to say, that very few now are, and with our present system, very few ever will be, fitted to command our fleets successfully against a powerful and skilful adversary; and it is earnestly to be hoped that such an arrangement will be adopted as to furnish all grades with such opportunities for improvement, and such excitements to exertion, as will prevent our future experience, on this point, from being calamitous. The increase of rank will also obviate some causes of irritation, in the intercourse of our officers with those of other nations, the least powerful of whom have higher grades than we have, and they universally claim honors and precedence according to rank; this must either be yielded, or intercourse with them suspended. To the first, the individual and national pride of our seamen cannot and ought not to assent; and the latter is productive of unfriendly feelings. This inconvenience will be greatly augmented, and our naval reputation may suffer severely from this cause, should our vessels have occasion to co-operate with those of any other nation. In such cases, rank must be respected. Our officers, for want of it, may always be subordinate; our fleets, no matter what their power, be subject to the orders of others, though commanding a very inferior force, and our reputation be thus placed where it might not be always safe. History furnishes some valuable illustrations on this point. One additional, but inferior grade, that of sub-lieutenant, is also proposed; it is meant to provide increased rank and pay for passed midshipmen, who have distinguished themselves

by zeal and activity, in discharging their duties, and qualifying themselves for promotion, and for whom there may be no vacancies in the rank of lieutenant.

The expense of the proposed increase of ranks, compared with its advantages, is trivial; public expenditure is always to be measured by the public advantage resulting from it; and if six or seven hundred officers can be excited to useful exertion; discipline and efficiency increased; causes of irritation with other nations, and of mortification to ourselves diminished; such an expenditure will be found to be true economy. Besides, in examining this, in connection with other parts of the proposed organization, it will be seen, that, although there be a small increase of expense on one point, yet, by adopting the whole, the expense of the naval establishment will be diminished.

The temporary rank of captain commanding a squadron in chief, is authorised for cases of necessity, and as a temporary reward for distinguished merit. The persons attached to the flag officers are useful, but to be employed only on particular occasion.

It will be perceived, that the design in rating the vessels is to arrange the compensation of the officers by their responsibility, and shew the proper complement for each class.

The leading principle in that part of the proposed organization which relates to pay, is, to apportion it to the amount and importance of the service performed, that he whose responsibility is greatest, and who is engaged in the most active duties, should receive the highest compensation. Hence, three general rates are proposed: 1. For those in active service. 2. For those who hold themselves in readiness for active service, or are engaged in merchant vessels, acquiring that knowledge of seamanship, which will enable them most skilfully to perform their duties. 3. For those on furlough for definite or indefinite periods, and who are not employed in merchant vessels.

To the first class, in some cases, the same, and, in others, higher pay is given, than is now allowed. The advance is believed to be proper, from the period when that pay was established, the increased responsibility arising from the changes in our vessels, and the inducement which it offers

to be constantly in service. To the second class, an average of about two-thirds of the pay of the first is given. To the third, about one-third of the first. This proportion is considered equitable and just; and the effect anticipated from it is, a desire for sea service, in all officers of all grades: a desire leading, in its necessary results, to skill, faithfulness, and ability. Under the system now in existence, it is, almost always, the pecuniary interest of an officer to obtain leave of absence, or a station on shore. Under the one now submitted, it will be his interest to be actively employed upon the proper element of the seaman; but, as he cannot always be there, the second, or reduced pay, is placed at such an amount as to enable him, when on shore, to live respectably and comfortably, as an officer of the public ought. It is also proposed a little to vary the pay, according to the rate of the vessel and the amount of the force, because the labor and responsibility of the officer vary with them.

The proposed compensation to admirals and commodores is as low as a regard to the expenses of their stations, the skill they ought to possess, and the weight of responsibility which must rest upon them, will permit; and it will be found, upon examination, to be much inferior to the pay of the same grades of officers in any other service, and less than one-half the compensation allowed them by several of the most important naval powers. The present pay of captains was fixed more than twenty years ago, when we had only frigates to command, and is supposed now to be proper for frigates of the smallest class: but that an increase, or diminution, should be made, as the vessel is larger or smaller. The pay of masters and lieutenants commanding bears a just proportion to that of captain, and is left at its present amount. That of lieutenants, generally, is proportioned to the nature of the service they render.

As the sailing masters must have high qualifications to pass their examination, and are out of the line of promotion except in extraordinary cases, an increase of pay is proposed, and that it be graduated by the rate of the vessel in which they are employed. The second masters, who are recognized by the existing laws, but have no established

pay, are placed on a proper footing in reference to their duties, and the promotions they may expect. The sub-lieutenancy as a middle rank, between the lieutenant and the midshipman: but, to present every inducement to the midshipmen for exertion and good conduct, an addition of pay is given to those who are meritorious, and have passed their examination, and for whom there is no place in the grade of sub-lieutenants; and they are also to be preferred to other midshipmen in the same vessel or squadron, as master's mates, and for acting appointments, when they shall be necessary. No additional pay is proposed for the purser. his compensation arises, principally, from other sources, and is, not unusually, in proportion to his age and service, and the rate of the vessel he is in. A small addition to the pay of boatswains, gunners, carpenters, and sailmakers, in the larger vessels, ought to be made; and, by enlarging the number, and regulating the pay of the petty officers, justice will be done to them, and the seamen, generally, stimulated to good conduct. Schoolmasters are proposed for the two highest rates of vessels; and, as we have yet no school for the instruction of young officers, and as the duties of the chaplains, both as clergymen and teachers, demand purity of character, enlargement of mind, and scientific attainments, a higher salary would be useful, to secure the services of those who are worthy of the station.

No portion of the present system requires more amendment than the surgical department, in reference as well to the manner of admission into it, as the government and payment of it. No one ought to be appointed surgeon's mate until after a satisfactory examination, proving his competency, and no mate be made a surgeon, until he has, by sufficient service, and other examination, proved that he is worthy of promotion.

But the directions on this subject belong, properly, to the code of rules and regulations. The proposed bill is confined, principally, to the pay, and prescribes that which is suited to the time and nature of the services performed. The pay of surgeon's mate is left as at present, and is not to be increased for any cause. But, after two years' service, he is permitted to have an examination, preparatory

to his appointment as surgeon; and, if he pass it with credit, and be recommended for promotion, a moderate addition is to be made. In like manner, the pay of the surgeon is to remain the same for two years, after which it is to be increased, at the end of every second year of active service, until it amounts to $75 per month, and eight rations per day. When he is rewarded by a permanent station, either at a Navy Yard, or hospital, he has a fixed and competent salary. This system, while it renders justice to those who have performed duties, will, it is hoped, induce zeal in acquiring science, and secure the active and entire services of skilful men, on whom so much of the comfort and success of the Navy depend. Guided by the reasoning applicable to the case, and by experiments made elsewhere, it is believed that a large saving may be effected by detailing one or more intelligent surgeons to purchase the medical stores and supplies; direct such as are fitted for the size of the vessel, and the nature and length of the voyage; and guard against ignorance and extravagance in that department. This object may be accomplished under the provisions of the bill.

The compensation for recruiting is estimated by the liabilities and expense attending it, and is calculated to save about $2,000 per year.

An entire change is proposed in the mode of paying officers at the Yards, and fixed salaries are given, proportioned to their duties and expenses, and in lieu of all the allowances now made, except for house rent, where no quarters are provided. The same principle is applied, and salaries given, in all cases where the officer is not engaged in active service, or is on furlough. This change is recommended by the certainty and economy which it will introduce. Indeed, the whole scheme is designed to reduce, as far as possible, all pay and allowances to fixed sums: limiting the discretion of the Department, and of the accounting officers, and lessening the contingent expenses of the establishment.

Regulations for distributing prize money have been introduced, because immediately connected with the provisions of the bill, and because those now in force are uncertain and unequal in their operation; giving, in some cases,

to superior and responsible officers, much less than to persons who have inferior rank and responsibility. One of the principal changes is an addition of five per cent. to commanders of fleets, squadrons, and vessels, who are answerable for detentions and captures, and bear alone the damages for mistake or error in the exercise of their power: A large portion of profit ought to be the reward of this responsibility.

The Tables and estimates which are appended to the bill, are designed to exhibit, in the plainest mode, the effect of the proposed organization upon the public treasury, in peace and war, with the force which is now in commission, with that which it is advised to put in commission, and when all the vessels, built and building, shall be in active service. The comparison which they afford between the existing system, and that which is recommended, cannot, it is believed, fail to create a favorable feeling towards the latter.

Table C, is an estimate of the expense of our present naval establishment, with the force in commission, which is mentioned in the report at the commencement of the session. And should it be determined not to increase or alter the number of vessels now in active service, this table proves that, by adopting the proposed organization, there will be an annual saving of more than $117,000.

Table A, furnishes an estimate of the expense of maintaining, for one year, the force which is recommended in this report to be put in commission. By this table, it appears that the force recommended, will, under both systems, occasion an increase of expenditure in this Department, arising principally from the additional number of petty officers and seamen employed: and that, under the present system, it will cost 1,901,876 dollars; under the proposed, $1,869,715, making a balance in favor of the latter of about $32,000, annually.

By table D, it appears that the proposed organization will save, at the Navy Yards now used, about $11,000, and at the recruiting stations, about $8,000. That the three Hospitals may be maintained at about the same expense, under both plans: and that the three naval stations, which it may

be thought advisable to keep up hereafter, will, under the plan now recommended, cost about $4,000 more than under the present, arising from the increased rank of the officers commanding them.

Table B, is an estimate of the expense of maintaining all the shore establishments, and keeping in commission all the vessels which are built, as well as those which are authorised and recommended to be built. It is calculated to exhibit the utmost annual expense of all our present naval means in war, or in such a condition of our country as shall justify us in keeping in active service so large a force, and shews that the present would, in that case, cost about $113,000 less than the proposed system. This is the most unfavorable view which can be presented, and is designed as such. But it is proper to remark, that it is a view which never can be realized: for, it supposes not only that all our vessels, of every kind, are in commission at sea, but, that every officer attached to the navy is in active employment, and receiving full pay, at the highest rate; a state of things which is scarcely possible, and altogether beyond a rational calculation, even in a state of active warfare. A large number of officers must, at all times, be out of active service, and receiving either reduced or furlough pay: and when to this we add the diminution of the contingent expenditures, it may very safely be asserted that, in no situation, either of war or peace, will the proposed organization, with all its addition to rank and pay, be as expensive, by many thousand dollars, as the present system.

Having presented these views, I submit the plan to you, with some feeling of solicitude that it should meet the approbation of those who have to decide upon it, arising from a conviction that it addresses itself to the best principles of action, and will be productive of discipline, efficiency, and economy, in our naval establishment.

I am very respectfully, sir, your obedient servant,

SAMUEL L. SOUTHARD.

To the President of the United States.

The following project *of a bill is the most material of the Documents accompanying the Secretary's Report:*

A BILL

For the reorganization of the Naval Establishment.

Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That the Naval Establishment shall consist of not less than the following grades, and number of commissioned and warrant officers, viz:

1 Vice Admiral,	10 Chaplains,
2 Rear Admirals,	40 Pursers,
3 Commodores,	40 Surgeons,
25 Captains,	56 Surgeon's Mates,
23 Masters Commandant,	400 Master's Mates and Mid-
149 Lieutenants,	26 Boatswains, [shipmen,
51 Sub-Lieutenants,	26 Gunners,
19 Masters,	16 Carpenters,
6 Second Masters	16 Sailmakers.

And be it further enacted, That whenever, in the opinion of the President of the United States, the interests of the country shall require a greater number of commissioned and warrant officers than is provided for by the preceding section, he shall be, and hereby is authorised to increase the number in each grade, so that the same shall not exceed the following, viz:

1 Vice Admiral,	30 Chaplains,
2 Rear Admirals,	60 Pursers,
3 Commodores,	61 Surgeons,
47 Captains,	102 Surgeon's Masters,
25 Masters Commandant,	811 Master's Mates and Mid-
256 Lieutenants,	56 Boatswains, [shipmen.
78 Sub-Lieutenants,	56 Gunners,
35 Masters,	46 Carpenters,
15 Second Masters,	43 Sailmakers,

And be it further enacted, That the number of petty officers, seamen, ordinary seamen, landsmen, and boys, to be employed in the navy, shall be regulated by the President of the United States, according as the necessities of the public service may require.

And be it further enacted, That the pay and emoluments of all flag officers, and persons acting as flag officers, and the pay and emoluments of persons attached to flag officers, when in active service, shall be as follows, viz:

		Pay per month.	No. daily rations.	Class of prize m'y.
Flag Officers.	Vice Admiral	$200	20	First.
	Rear Admiral	150	18	
	Commodore	125	16	
	Captain appointed commander in chief of a squadron	120	12	
	Captain, acting as captain of the fleet	125	16	
	Surgeon, acting as surgeon of the fleet	100	8	Second.
	Lieutenant, acting as flag lieutenant	50	4	
	Secretary to Vice Admiral	65	1	Third.
	Secretary to Rear Admiral	60	1	
	Secretary to Commodore	50	1	
	Secretary to Captain Commander in chief of a squadron	40	1	
	Admiral's or Commodore's coxswain	18	1	Fifth.
	Admiral's or Commodore's steward	18	1	
	Admiral's or Commodore's cook	18	1	

And be it further enacted, That, when a flag officer shall be appointed commander in chief of a fleet, or squadron, or when a flag officer shall succeed to the command in chief of a fleet, or squadron, upon foreign service, by the death or resignation of his superior, he shall receive double rations while acting as such.

And be it further enacted, That, whenever a captain shall be appointed a commander in chief of a squadron, he shall wear such distinguishing pendant as may be directed, and shall receive double rations while he is authorised to wear such pendant as commander in chief.

And be it further enacted, That a Captain, succeeding to the command in chief of a fleet or squadron, upon a foreign

station, by the death or resignation of his superior officer, shall be entitled to the same pay and emoluments, as a captain appointed to the command in chief of a fleet or squadron, so long as he performs the duties of that situation; but he shall hoist no distinguishing flag or pendant, that he was not previously authorised to wear.

And be it further enacted, That the increase of pay and emoluments to a captain, acting as captain to a fleet—to a lieutenant acting as flag lieutenant—and to a surgeon when acting as surgeon to a fleet, shall only be allowed when those officers are actually employed in those capacities in a fleet or squadron.

And be it further enacted, That the pay and emoluments of secretaries shall only be allowed for the time when the respective officers to whom they may be attached shall be entitled to receive the pay of active service.

And be it further enacted, That seven per centum of the nett proceeds of all prize money, lawfully accruing to the officers and crews of the vessels of a squadron, acting under the orders of any of the flag officers of the squadron, shall belong to, and be divided, as hereinafter directed, among the flag officers of such squadron: Provided, their flags are flying within the limits of the station, when the capture is made.

And be it further enacted, That, if there are but two flag officers entitled to a share in the same capture, the superior or senior officer shall receive two third parts, and the inferior, one third part of the amount. If there are more than two flag officers entitled to share, the superior or senior officer shall have one half, and the remaining half shall be equally divided among the others.

And be it further enacted, That captains, when commanders in chief of fleets or squadrons, shall be considered as flag officers in all captures made by vessels under their command, while they continue to act as commanders in chief, within the limits of their station, but shall only share as captains in all other situations.

And be it further enacted, That the vessels of war shall be rated as follows, viz:

1st rate, vessels mounting 100 guns and upwards.

2d rate, vessels mounting over 74 and under 100 guns.
3d rate, frigates of the largest size.
4th rate, frigates of the second size.
5th rate, post ships mounting 26 and under 36 guns.
6th rate, sloops mounting 18 and under 26 guns.
7th rate, vessels under 18 guns.

And be it further enacted, That the pay and emoluments of all officers and others, attached to vessels in commission, and the distribution of the nett proceeds of prize money accruing to such officers, and others, shall be as is established in the annexed table and note marked C.

And be it further enacted, That the Navy Yards of the United States shall be arranged in two classes, as follows, viz:

1st Class.	2d Class.
Portsmouth, N. H.	Lake Ontario,
Charlestown, Ms.	Lake Champlain,
Brooklyn, N. Y.	Lake Erie—while they
Philadelphia,	are continued as navy
Washington,	yards or stations.
Gosport, Va. & one south of the Chesapeake.	

And be it further enacted, That the actual compensation to the officers attached to the navy yards and navy hospitals, in lieu of all other pay and emoluments whatever, house rent or quarters excepted, shall be as follows, viz:

RANK.	1st Class	2d Class	Navy Hospital.
To a Captain commanding, -	$3,000	2,000	
Masters commandant commanding,	1,800	1,500	
Do. do. not commanding,	1,500		
Lieutenants, - - -	1,000	750	
Masters, - - - -	950	750	
Surgeons, - - - -			2,000
Surgeons, - - - -	*1200	850	
Do acting as medical purveyors,			2,000
Surgeons' mates, if passed, -	660	660	750
Surgeons' mates, not passed,	540	540	540
Pursers, - - - -	1,000		
Pursers acting as Storekeepers,	1,500	1,000	

Midshipmen, if passed for lieu'ts,	425	425
Do. not passed,	325	325
Boatswain, - - -	600	450
Gunner, - - - -	500	400
Chaplain, - - - -	800	

And be it further enacted, That captains commanding stations shall receive not exceeding the pay and emoluments of captains attached to first rate ships, in lieu of all other allowances.

And be it further enacted, That, if a captain shall be appointed to command a naval station, and a navy yard included within it, he shall receive the pay allowed to the commandants of the navy yard, and no more.

And be it further enacted, That if a flag officer be appointed to the command of a naval station, he shall receive the pay and emoluments allowed to an officer of his grade, when employed at sea, and not commanding in chief.

And be it further enacted, That the pay and emoluments of officers permanently attached to recruiting stations, in lieu of all other allowances whatever, excepting to the commanding officer, who shall be further allowed a sum not exceeding three dollars for every person he shall enlist into the service, and deliver to the proper officer, conformably to the instructions of the Secretary of the Navy, shall be as follows, viz:

RANK.	*Monthly pay.*	*Rations per diem.*
If a Captain,	$75	6
Master Commandant,	60	5
Lieutenant,	45	3
Surgeon,	*55	3
Surgeon's mate if passed,	40	2
Surgeons, not passed,	30	2
Midshipman,	20	2

*Unless entitled to more by length of service. In that case his annual amount to pay and rations.

And be it further enacted, That, whenever an officer shall be employed upon special service, relating to the navy, other than is provided for in this act, the Secretary of the Navy may allow him such rate of pay and emolument, as he may deem proper, provided it does not exceed the highest rate of pay and emoluments to which officers of his grade may be entitled, when in active service at sea.

And be it further enacted, That, all officers not attached to vessels in commission, to navy yards, naval stations, recruting stations, hospitals, or employed upon special service by order of the Secretary of the Navy, or a commander in chief upon a foreign station, shall be allowed an annual compensation, to be denominated reduced pay, and which shall be as is established in the annexed table, marked G, except in the cases mentioned in the next.

And be it further enacted, That any officer who shall be furloughed, or who shall have been excused from service at his own request, when receiving reduced pay, for any other cause than inability to perform the service, from sickness, shall receive an annual pay, which shall be called furlough pay, as is established in the annexed table, marked H: Provided, he shall not have declined to perform active service when ordered from furlough pay, nor have exceeded the limits of his furlough, except from unavoidable necessity; in which cases he shall no longer receive any pay, and be further punished, at the discretion of a court martial.

And be it further enacted, That the President of the United States may in time of peace, permit captains, masters commandant, lieutenants, sub-lieutenants, masters, second masters, and midshipmen, to engage in the merchants or any other sea service, and that to such of those officers who are thus emyployed, captains and masters commandant excepted, reduced pay may be allowed for the time they are actually at sea, as an inducement for them to avail themselves of such opportunities for improving themselves in seamanship.

And be it further enacted, That all marine officers, and marines, stationed or employed within the limits of a Navy Yard, or on board vessels in ordinary, shall be subject to

the laws and regulations for the government of the Navy, in the same manner as they now are when employed on board ships of the United States at sea.

And be it further enacted, That all navy storekeepers may be taken from the pursers of the navy, or shall be appointed by warrant from the President of the United States, and be subject to the laws and regulations for the government of the Navy of the United States; and their pay shall be established by the President of the United States, having regard to their relative responsibilities.

And be it further enacted, That the President of the United States be, and he is hereby, authorised to assign such number of the officers, petty officers, seamen, and marines of the navy, to the different vessels, navy yards, and stations, as he may deem most advantageous to the public service: Provided, That the whole number employed in each grade does not exceed the number authorised by this act.

And be it further enacted, That all such acts, or parts of acts heretofore passed, as shall be at variance with, or opposed to the provisions of this act, shall be, and are hereby repealed.

And be it further enacted, That all the provisions of this act shall take effect from and after the —— day of —— next.

SPEECH

OF

MR. HAYNE, OF S. CAROLINA,

On the Subject of Amending the Constitution.

DELIVERED IN THE SENATE OF THE U. S. MARCH 19, 1824.

MR. SPEAKER,

I sincerely regret that *certain topics* have been introduced, which are, unfortunately, but too well calculated to produce a painful excitement; but which (having been *discussed*) it becomes my duty incidentally to notice. The question *properly before the Senate*, will, however, first command my attention.

A motion has been made to postpone indefinitely two resolutions to amend the constitution, in relation to the election of President and Vice President of the United States. The first resolution is that reported by the committee of which the honorable gentleman from New-Jersey, (Mr. Dickerson.) was chairman. The second is the *amendment* offered by the honorable gentleman from Missouri, (Mr. Benton.) The former provides for the division of the United States into Districts, for the choice of Electors, and directs that, on the failure of the election, the Senate and House of Representatives shall elect the President by a joint ballot. The latter dispenses entirely with *Electors*, but retains the existing provisions of the constitution in respect to the election in the house of representatives, *by States*.

I am decidedly opposed to both of these propositions, and will vote for their indefinite postponement, unless I could be induced to believe that the Senate was prepared to *act on the whole subject*, during the present session;

so as to enable the gentlemen who have submitted other propositions, to bring them forward, with the prospect of obtaining a favorable hearing and final decision.

Before I proceed to make the few remarks that I intend to offer, on the amendments, I would take occasion to notice some statements which have been made by the honorable gentleman from New York, (Mr. Van Buren,) and which I conceive to be erroneous. Amongst others, I particularly notice the remark of Mr. Van Buren that the proposed amendments have originated in *the dissatisfaction of the small States.* This, I feel myself called upon to controvert. One of the propositions which have been offered to the Senate, came from that gentleman himself, a representative of the great State of New-York; another was submitted by an honorable gentleman from Massachusetts; and they all originated in the general belief which prevailed in Congress, and amongst the people, that the provision of the Constitution, in respect to the election of our Chief Magistrate, required some amendments, in order to guard against impending evils, and to preserve the harmony of the Union. Let us take higher ground, and be influenced by more magnanimous and liberal views than to look exclusively to the peculiar interests of particular States. Let us look to the great interests of the nation, and consider the propositions in their *true character*, as coming indiscriminately from large as well as small States, and having no other object than the welfare of the whole.

I am willing to admit that the spirit of mutual concession can alone lead to any desirable results on this subject. It was in that spirit that the constitution was framed, and by that alone can its harmonious operation be secured. I should certainly be one of the last to contend that the *great principle of compromise*, on which the constitution is founded, and on which the dearest rights, perhaps the existence, of the small states depend, should ever be forgotten or disregarded. I contend only against jealousies and struggles for political power. Having thus presented the question in what I believe to be its true light, I will proceed to consider the resolution reported by the committee. On that part of it which proposes to *divide the United States into*

districts, for the choice of Electors, I will make but a single remark, as I certainly do not intend on the present motion to enter into a full discussion of the subject. The remark I would make, is, that whatever may be the advantages of the district system, (and I admit them to be very great,) it certainly lessens the chance of effecting a choice, and indeed, would, in most cases, lead to a *failure of the election.* It surely can require no argument to prove, that the United States, divided into 24 parts, each expressing but one opinion, will be less liable to a division of sentiments, than when divided into 260 such parts. When a state acts *as a state*, whether the vote be given by the legislature or by general ticket, there can exist but one opinion—the voice of the state; but the same state divided into districts, may have as many opinions as there are districts. The merit of the district system, then depends on the provision by which it may be accompanied, as to the course to be pursued in the event of the failure of the election. I am convinced that this failure would take place under the district system, in *nine* cases out of *ten*, and therefore if it were proposed, on such failure, to throw the election into the house of representatives, or into congress, *the substance* of the proposition would be to provide for the election of the chief magistrate by congress, and not by the people. If the district system was accompanied by a provision, that, on a failure of the election at the first ballot, *it should be sent back to the electors to choose the president* from the two highest candidates, then the system would be complete, an election by the people would be secured, and the necessity of any interference on the part of congress would be taken away. *A second ballot* by the electors, is the *principle* on which *my proposition* is founded. It can be engrafted on the district system or on any other which does not dispense with electors. The details of such a system, I am satisfied, could be easily arranged. and I hope, at some future day, to see it adopted.

But what is *substantially* the proposition now before us? What will be its practical effect? The people are to pass through *the form* of voting for a President in their respective districts, but, if no candidate has a majority, (and no

one ever will have a majority, except it be in a very extraordinary case,) then the election is to go into Congress—both branches of the Legislature voting by polls, and not by states. I consider the whole resolution to contain, substantially, nothing more than a proposition to change *the voting in Congress by States to a joint ballot*, with the further evil of carrying *the election, in almost every instance, into Congress*. It results then, in a proposition to elect the President hereafter, by the *National Legislature*. Now, sir, I consider such a system as *pregnant with dreadful evils*. It is true, that it was proposed in the convention, but mature deliberation led to its abandonment.

Can it be necessary to point out the evils of choosing a President by the *National Legislature*? I will state some of them. The first objection to the election of a President by the National Legislature, is found in its connecting the Executive with the Legislative department of the government. It is the theory of our government, that the several departments should be kept, as far as possible, separate and distinct. If the Legislature shall be authorized to choose the Executive, is it not obvious that they will be rendered mutually dependent on each other? Either the Executive will be rendered the humble tool, the obedient servant, of the Legislature—or, what is most to be apprehended, the Legislature will become subservient to the views of the Executive. Judging from the experience of the world, I should say, that a President of the United States, uniformly chosen by the National Legislature, would acquire a most dangerous influence over all their deliberations. With an immense patronage in his hands, a President might be able, by feeding the hopes of greedy expectants, to secure his constant re-election. He would have the *means* of doing so, and to ensure his election would be the *motive* to exert them. With so great a prize at stake, promises, threats, intrigue, and corruption, would exhaust their resources, to influence and control the electoral college. But the higher, as well as the baser, motives of human action, would be enlisted in the service. Party spirit—personal and political attachments, would combine to influence the decision. Men, who would rise superior to naked

bribery and corruption, would be hurried on by their passions, and even by honorable ambition, to second the views of their favorites.—At present, Congress is considered as a body who *may* (in an event not likely to happen) be called upon to elect a President. But, if that election was *always to be made by Congress*—if ambitious men were taught to *look to that body*, and not to the people, for promotion—who can be so blind as not to perceive that the hall of Congress would become the arena, where we would witness the most violent and convulsive struggles for power? The very nature of the contest would have a tendency to give to it peculiar energy and bitterness. Such is the character of man, that he is always as much, perhaps more, devoted to *men*, than to *principles*. We are accustomed to boast of our *exclusive attachment* to the latter, but *principles and men* cannot be separated. It is embodied wisdom that we admire. It is "virtue confessed in human shape," that we love. It is principle, speaking in the life and actions of men, that comes home to the "bosoms and business" of us all. It was this view of the subject, the apprehension of the *dreadful excitement* which would always prevail in electing a President in congress—the intrigue it would introduce—the corruption to which it would give birth—the destructive influences to which it would subject the legislature of the country—which induced our fathers to place the power of electing a President *in the hands of the people*. They act, it is true, by their delegates, but the *electors* must be chosen *a very short time* before the day of election, and, having performed the single act confided to them, they return immediately to the body of the people—thus avoiding all the dangers which might arise from the employment of a *pre-existing body of men*, for the same purpose. Sir, I cannot contemplate, without anxiety and alarm, the adoption of a principle in our constitution, which must in practice, almost invariably give the choice of the President to Congress. I cannot but foresee that, on all future occasions, that great transaction is destined to convulse the country. We have this day before our eyes a solemn warning of the fact. When, at future periods, the number of candidates shall be multiplied—when parties shall be formed in every part of

this great empire, each anxious for the triumph, and zealous in the support of their favorite—when the worst passions of the human heart shall be roused into action—when our affections shall be estranged from our friends, and our hearts embittered against each other—when the whole interval between the different elections shall be employed in dreadful "note of preparation" for the ensuing contest—can Congress, (*if they are to elect*,) be free from the contagion? Will the Senate and House of Representatives, amidst the tumult of the political elements, sit, like a Halcyon, on the waves, undisturbed spectators of surrounding horrors? It is greatly to be feared, sir, that their more appropriate emblem, on such an occasion, will be, that dreadful whirlpool of the North, which draws into its fatal vortex every thing that falls within the influence of the eddies by which it is surrounded.

I now come, to that *unpleasant topic* which has been unhappily introduced into the discussion—I mean a *Congressional caucus*. The honorable gentleman from New York, (Mr. King,) in the course of his remarks in favor of an indefinite postponement of the resolutions, took occasion to mention, incidentally, a "central power," which had grown up at the seat of government, and which was destined, hereafter, to control the election of a President. The gentlemen on the other side have thought proper, in reply, to enter into a vindication of a *Congressional caucus* for the nomination of a President. If their arguments could be confined to this Hall, and were not calculated to have an influence on public opinion, I would not, perhaps, find myself called upon to notice them. But, believing that the subject is one of vast importance, that it touches the vital interests of the country, and may, in its remote consequences, endanger liberty itself, I find myself constrained to attempt an answer to the arguments which have been adduced. I shall confine myself strictly to a defensive warfare—and shall enter no further into the discussion of the subject, than may be necessary to *reply to the arguments which have been urged on this floor*.

It is contended by the gentleman from New Jersey, (Mr. Dickerson,) and the same argument has been urged by all

the gentlemen who have spoken on the subject, that a Congressional caucus for the nomination of a President, is not liable to any of the objections which may be urged against the election of a President by Congress, because the Senators and Representatives, in attending a caucus, *act only in their private capacities.* This appears to me, to be a *fallacy* so obvious, that I am at a loss to conceive how any one could be deceived by it. Sir, if fifty or sixty *private individuals* should meet in this city and nominate a President, what effect would be produced by it? Would it be an event looked to with anxiety from every part of the country? Would it divide the nation into parties, or challenge the praise or the censure of every freeman in the land? No, sir; it is because the gentlemen who compose such a meeting *are members of Congress*—it is the authority with which they are clothed, that gives influence and effect to their proceedings. They meet in their *characters as members of Congress*, or they would not meet at all. It is true, they do not meet to perform a *legislative duty*, and the very objection to the proceeding, is, that they step beyond the line of their peculiar and appropriate duties, and use the influence attached to their offices, for the promotion of *an object* not within their *Congressional powers*, and with which the spirit of the constitution forbids them to interfere. To show, conclusively, that it is *the influence attached to the office of a member of Congress*, which is the foundation of a Congressional caucus, and that it is expressly in their *character as members of Congress* that gentlemen attend such a meeting, is proved by the fact, that noneother are invited or suffered to attend. If gentlemen acted only in their private capacities, every American citizen—certainly every inhabitant of this district, would be at liberty to unite with them. Look, too, at the forms of proceeding in such cases; the Hall of legislation is appropriated to their use; the speaker's chair is occupied by their chairman—the officers of the House are stationed at the door to prevent the entrance of any but members of Congress, who are called up by states to give their suffrages. After this, tell us not that gentlemen act in their *private capacities*, and that, as members of Congress, they have no concern in the transaction!

Sir, I deny that a man can put off and put on, at pleasure, the official garb with which he is clothed. A man clothed with executive authority cannot, as a private citizen, perform legislative duties; neither can a member of Congress put off his character, and, as a private citizen, interfere with matters which the constitution has wisely prohibited him from meddling with. I have heard, sir, of a priest, who, walking to church in his robes of office, received an insult; he threw off his gown, exclaiming, "lie there, *divinity*, until I punish that rascal;" and having, in his *private capacity*, inflicted the chastisement, he resumed the character of a clergyman, and proceeded to preach up "charity, and forgiveness of injuries, love to God, and good will towards man." If there be, any sound distinction, any safe rule by which the private and public acts of an individual can be ascertained, it must be this—that matters altogether of a *private nature* belong to the one, while matters, of a *public nature* belong to the other.

Bring a Congressional caucus to the test. The choice of the President is a *public matter;* it is a business provided for by the constitution; the manner in which it is to be done is prescribed; the Members of Congress are prohibited from being Electors, and *the senators* can, in no possible event, have any thing to do with it. I will proceed, to give one or two *illustrations*, which I think will remove any doubts which may still rest upon the subject. Suppose the President and Heads of Departments were to meet together in their private capacities, were to nominate *their successors*, and were to proclaim such a nomination to the American people. The country would ring with denunciations of the act, the charges of usurpation, tyranny, and corruption, would rise up in every corner of the land, and they would meet the just vengeance of an injured people! And yet, have not the President and heads of departments as much a right to act, and to speak in their *private capacities*, as any other members of the government? They are no more prohibited from nominating a President than are the members of Congress; and more danger is to be apprehended from the influence of the latter than the former. Suppose the Judges of the Supreme Court were to step from the bench, put off their robes, and,

after public notice, were to proceed, in their *private capacities*, to nominate a President, and publish that nomination to the world. How would such a proceeding be relished? And yet, the Executive and Judiciary have certainly an equal right with the Legislature to proceed to such a nomination, in their *private capacities*. Again: Suppose the Governors of the several states were to consult and vote on the subject, and announce the result to the world, in order to produce *union* among the people. What would we think of such a proceeding? But I will put, a still stronger case —one perfectly analogous to that under consideration—the case of a jury appointed to try a cause, civil or criminal, (and in some of the States a particular jury *is* previously selected to try all the cases before the court.) The law prescribes the place, the time, and manner, in which the question is to be officially investigated, and decided. But these Jurors think proper to meet together *previous to the trial, in their private capacities*, to investigate the merits of the case. They come to a decision, and publish the result. Would it be any excuse for such a proceeding to allege, that they did not act as *Jurors*, but in their private capacities? And with what color of reason could such an excuse be made, if it were shown that they were summoned to the meeting as *Jurors eo nomine*, that none other were admitted, that they apointed a *Foreman*, passed through all *the forms of a trial*, and in the name and character of Jurors, proclaimed the result. Now, there is a more striking analogy between that case and the proceeding now under consideration, than gentlemen will be disposed to admit. The house of representatives may, in *one* event, be called upon to choose the President. The constitution has prescribed the *time* and *place*, and all the formalities of that proceeding; but, *before the occasion occurs*, the members of that House meet together in their private capacities, *associate the Senate* with them, examine the claims of the candidates, and, without the light which farther time and a more deliberate examination might afford, make a choice, and publish the result. It is true, that the proceeding, in both cases, is without legal authority, but it is calculated to produce a dangerous influence, and is, therefore, wholly indefensible. To

illustrate the truth that legislators cannot, consistently with the spirit of the constitution, act in their private capacities on matters which may come before them officially, it may be asked, whether it would be justifiable for a majority of this Senate, *as a party*, to meet together habitually, in their private capacities, and determine, by a majority what measures they should support, or oppose?—By such an arrangement, all the guards by which pure and enlightened legislation is secured, would be destroyed, and a small minority might sway the Senate. A Congressional caucus is open to the same objection.

I confess, sir, I have serious fears that, should the *caucus system* be firmly established in this country, it will eventually lead to the total destruction of the rights of the small states, and that the clause in the constitution, which secures their just weight in the choice of a president, will be *virtually repealed*. Once recognize the distinction between a man's public and private capacity, in relation to public matters, and what is to restrain a few of the large states from instructing their Members of Congress, to meet in caucus, and determine, by a majority of votes, how these states shall act, and whom they shall support? I shall add nothing further, in answer to the honorable gentlemen, on this point.

The next argument is, that a Congressional caucus is free from objection, because it does not profess *to elect*, but only to *nominate* a President. Now, I would ask whether the design of this nomination is not to procure the election of some individual who would not be elected without it? If such be not the object, and if such were not the results hoped for, no nomination would be made. But, if a *nomination* is to have the effect of promoting a man to the Presidency who would not otherwise be promoted, it virtually amounts to an election; and is it any answer to this argument to say, that it is produced altogether by the authority and influence of members of Congress? Or is not that the most objectionable means by which an election can be effected? But, sir, let us bring this question to the test of *principle*, and see if the practice I am controverting will not directly deprive the people of the right of choos-

ing among the several candidates for the Presidency? If a Congressional caucus be right *in principle*, it follows, that the friends of all the candidates *ought to attend*, and that, the strength of each being ascertained, *the strongest* should *be supported* by all, and *the others should be withdrawn*. Thus, the people will be deprived of the right of choosing, and must, of necessity, *take the man recommended to them*. Take the case of *two candidates* only—such a case has occurred. A caucus selects one, the other is bound to withdraw; he can no longer be a candidate; his friends cannot support him; and, though nine-tenths of the people should prefer him, he cannot, as a man of principle, even consent to serve. Take another case—Suppose there should *be five candidates*—the five most prominent and popular men in the country. Apply the caucus principle, and it results in presenting *but one candidate to the people*, and they must take him, or look out at the eleventh hour for a new man, which, under such circumstances, would be impossible. The *principle* of a Congressional caucus, therefore, leads inevitably to the destruction of *the right of the people to elect the President*, and that it does not, in *practice*, produce that result, is only because so many of us are such political heretics as to refuse to recognise it; and because the candidates and their friends will not consent to abide by it. But, let the principles of the gentleman prevail, and the President will, hereafter, be *virtually elected by a caucus* in Washington, and not by the people.

Now there is not an objection which applies to the election of a President by the National Legislature, which does not apply much more strongly to a virtual election by a Congressional caucus. Does the former disturb legislations, tinging every legislative act with party views and feelings, so, in a greater degree, does the latter. The letter and spirit of the Constitution is opposed to every species of interference, by the members of Congress, in the election of a President, *except in the particular case* of a failure by the people to elect. Then, and not till then, are Congress permitted to interfere; and the mode in which they are then to proceed is minutely described. The House of Representatives only are to have any concern in

the transaction, and they must vote by states. They are not permitted to elect *any* candidate according to their own views, feelings, or opinions, but they are compelled to choose *one of three* candidates previously selected and presented to them by the people. But a Congressional caucus is composed of *Senators* as well as members of the House of Representatives, when the former are wisely excluded, by the Constitution, from voting on such a subject. They proceed to nominate the President *before the people have proceeded to the election;* they choose him, not from candidates presented to them by the people, but according to their own pleasure; and lastly, they make such a nomination, not in the extraordinary case (which may not occur once in a century) provided for by the Constitution, but at every election—once in *every four years.* Now, when to all this we add, that from the very nature of things, a caucus never will be composed of (the whole) the members of congress, so that the vote of an individual will be of such consequence as to justify *extraordinary efforts* to obtain it; when it is considered that in a caucus the states never will be *fairly and equally represented,* when it is recollected that a caucus nomination, every four years, will keep the matter *constantly before congress,* can any man, who reflects on the subject, fail to see that the triumph of the caucus system must not only supersede and control the Constitution, but involves the introduction, into the Halls of Congress, of excitement, intrigue, and corruption; at the bare contemplation of which the heart of the patriot must sicken, and his anticipations of the future glory of his country, be converted into the most gloomy forebodings.

The gentleman from Indiana, (Mr. Noble,) in his zeal to defend a caucus, has introduced the word *anti-caucus.*—That gentleman, it is true, has not attempted to censure any one, but, if by his language he intended to insinuate that a general meeting had been held and an agreement entered into for the purpose of opposing—a putting down a caucus, he was greatly mistaken. He believed the true character of the proceeding alluded to, was, a simple *declaration of the important fact,* (clearly ascertained by friendly and informal inquiries,) that a very large majority

of the members of congress was opposed to a caucus—*a fact*, which it is important that the members themselves, as well as the people, should know. The mere publication of such a fact, without combination or compact of any kind, is a proceeding differing so essentially from the *nomination of candidates for office*, that I am astonished that any gentleman could confound them. The gentleman from Indiana is certainly correct, however, in the opinion, that the proceeding to which he has alluded, is entirely free from censure or objection. In that opinion I fully concur; and, indeed, I cannot conceive of any transaction more unostentatious, or more obviously proper. It requires no defence.

The honorable gentleman from Maine, (Mr. Holmes,) in the course of his observations, has said something about "*secret combinations and compacts to divide.*" I presume that gentleman could not mean to apply those expressions to any transaction in which I or my friends have been concerned, (Mr. Holmes here intimated, that he had no such allusion,) then I proceed.—Then, sir, I can only say, that if the gentleman has any knowledge of such proceedings, they are wholly unknown to me.

It has been urged, that a congressional caucus is necessary to *promote union.* Without entering into the question, how far such a caucus could, under any circumstances, be justified, I am disposed to admit, that where two great parties are eagerly contending for supremacy in the state, a caucus *might be so used* as to concentrate the strength of each party, by reducing the contest to one candidate on each side. A caucus, even as *a party measure*, could only be defended, therefore, where the contest was between candidates of different parties. But to use such a machine where all the candidates were of the same party, would be an obvious departure from all the principles on which such proceedings have been supposed to rest. A caucus, as a party measure, must always present two candidates, at least, to the people. But a caucus to select one candidate from many, (when all are of the same party) must result in presenting only one candidate to the public; and should such a measure promote union, it could only be by control-

ing the will, and stifling the voice, of the people. So far from being calculated to produce harmony, such a caucus must necessarily sow the seeds of dissention, and seems to preclude the possibility of union. The degree of support to be yielded, or of opposition to be offered, to such a nomination, will always be a fruitful source of endless contests and animosities. If a Congressional caucus, founded on such a principle, is to be resorted to at every presidential election—and congress is, by a preliminary vote, in joint ballot, to *select the individual* to be supported as President, it is manifest, that the election will, in all cases hereafter, be virtually made by congress, voting by polls, and not by states, the people will be effectually deprived of the power of choosing the president, and the wise provisions of the Constitution will be practically repealed.

MESSAGE

OF THE

PRESIDENT OF THE U. STATES

TO BOTH HOUSES OF CONGRESS.

DECEMBER 1, 1829.

Fellow citizens of the Senate and House of Representatives.

Many important subjects will claim your attention during the present session, of which I shall endeavor to give, in aid of your deliberations, a just idea in this communication. I undertake this duty with diffidence, from the vast extent of the interests on which I have to treat, and of their great importance to every portion of our Union. I enter on it with zeal, from a thorough conviction that there never was a period, since the establishment of our revolution, when, regarding the condition of the civilized world, and its bearing on us, there was greater necessity for devotion in the public servants to their respective duties, or for virtue, patriotism, and union, in our constituents.

Meeting in you a new Congress, I deem it proper to present this view of public affairs in greater detail than might otherwise be necessary. I do it however, with peculiar satisfaction, from a knowledge that, in this respect, I shall comply more fully with the sound principles of our government. The people being with us exclusively the sovereign, it is indispensable that full information be laid before them on all important subjects, to enable them to exercise that high power with complete effect. If kept in

the dark, they must be incompetent to it. We are all liable to error, and those who are engaged in the management of public affairs are more subject to excitement, and to be led astray by their particular interests and passions, than the great body of our constituents, who, living at home, in the pursuit of their ordinary avocations, are calm but deeply interested spectators of events, and of the conduct of those who are parties to them. To the people, every department of the government, and every individual in each, are responsible, and the more full their information, the better they can judge of the wisdom of the policy pursued, and of the conduct of each in regard to it. From their dispassionate judgment, much aid may always be obtained, while their approbation will form the greatest incentive, and most gratifying reward, for virtuous actions, and the dread of their censure the best security against the abuse of their confidence. Their interests, in all vital questions, are the same, and the bond by sentiment, as well as by interest, will be proportionally strengthened as they are better informed of the real state of public affairs, especially in difficult conjunctures. It is by such knowledge that local prejudices and jealousies are surmounted, and that a national policy, extending its fostering care and protection to all the great interests of our Union, is formed and steadily adhered to.

A precise knowledge of our relations with foreign powers, as respects our negotiations and transactions with each, is thought to be particularly necessary. Equally necessary is it, that we should form a just estimate of our resources, revenue and progress in every kind of improvement connected with the national prosperity and public defence. It is by rendering justice to other nations, that we may expect it from them. It is by our ability to resent injuries, and redress wrongs, that we may avoid them.

The commissioners under the fifth article of the treaty of Ghent, having disagreed in their opinions respecting that portion of the boundary between the territories of the United States and of Great Britain, the establishment of which had been submitted to them, have made their respective reports in compliance with that article, that the

same might be referred to the decision of a friendly power. It being manifest, however, that it would be difficult, if not impossible, for any power to perform that office, without great delay and much inconvenience to itself, a proposal has been made by this government, and acceded to by that of Great Britain, to endeavor to establish that boundary by amicable negotiation. It appearing, from long experience, that no satisfactory arrangement could be formed of the commercial intercourse between the United States and the British Colonies in this hemisphere, by legislative acts, while each party pursued its own course, without agreement or concert with the other, a proposal has been made to the British government to regulate this commerce by treaty, as it has been to arrange, in like manner, the just claim of the citizens of the United States inhabiting the states and territories bordering on the lakes and rivers which empty into the St. Laurence, to the navigation of that river to the ocean. For these and other objects of high importance to the interests of both parties, a negotiation has been opened with the British government, which, it is hoped, will have a satisfactory result.

The commissioners under the sixth and seventh articles of the treaty of Ghent, having successfully closed their labors in relation to the sixth, have proceeded to the discharge of those relating to the seventh. Their progress in the extensive survey, required for the performance of their duties justifies the presumption that it will be completed in the ensuing year.

The negotiation which had been long depending with the French government, on several important subjects, and particularly for a just indemnity for losses sustained in the late wars by the citizens of the United States, under unjustifiable seizures and confiscations of their property, has not, as yet, had the desired effect. As this claim rests on the same principle with others which have been admitted by the French government, it is not perceived on what just grounds it can be rejected. A minister will be immediately appointed to proceed to France, and resume the negotiation on this and other subjects which may arise between the two nations.

At the proposal of the Russian Imperial government, made through the minister of the emperor residing here, a full power and instructions have been transmitted to the minister of the United States at St. Petersburgh, to arrange by amicable negotiation, the respective rights and interests of the two nations on the northwest coast of this continent. A similar proposal had been made by his Imperial Majesty to the government of Great Britain, which has likewise been acceded to. The government of the United States has been desirous, by this friendly proceeding of manifesting the great value which they have invariably attached to the friendship of the emperor, and their solicitude to cultivate the best understanding with his government. In the discussions to which this interest has given rise, and the arrangements by which they may terminate, the occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers.

Since the close of the last session of Congress, the commissioners and arbitrators for ascertaining and determining the amount of indemnification which may be due to citizens of the United States, under the decision of his Imperial Majesty the Emperor of Russia, in conformity to the convention concluded at St. Petersburg, on the twelfth of July, one thousand eight hundred and twenty-two, have assembled in this city, and organized themselves as a board for the performance of the duties assigned to them by that treaty. The commission constituted under the eleventh article of the treaty of twenty second February, one thousand eight hundred and nineteen, between the United States and Spain, is also in session here; and as the term of three years, limited by the treaty for the execution of the trust, will expire before the period of the next regular meeting of congress, the attention of the legislature will be drawn to the measures which may be necessary to accomplish the objects for which the commission was instituted.

In compliance with a resolution of the House of Repre-

sentatives, adopted at their last session, instructions have been given to all the Ministers of the United States, accredited to the powers of Europe and America, to propose the proscription of the African slave trade, by classing it under the denomination, and inflicting on its perpetrators the punishment of piracy. Should this proposal be acceded to, it is not doubted that this odious and criminal practice will be promptly and entirely suppressed. It is earnestly hoped that it will be acceded to, from a firm belief that it is the most effectual expedient that can be adopted for the purpose.

At the commencement of the recent war between France and Spain, it was declared by the French government that it would grant no commissions to privateers, and that neither the commerce of Spain herself, nor of neutral nations, should be molested by the naval force of France, except in the breach of a lawful blockade. This declaration, which appears to have been faithfully carried into effect, concurring with principles proclaimed and cherished by the United States, from the first establishment of their independence, suggested the hope, that the time had arrived when the proposal for adopting it as a permanent and invariable rule in all future maritime wars, might meet the favorable consideration of the great European powers. Instructions have accordingly been given to our ministers with France, Russia, and Great Britain, to make those proposals to their respective governments, and, when the friends of humanity reflect on the essential amelioration to the condition of the human race, which would result from the abolition of private war on the sea, and on the great facility by which it might be accomplished, requiring only the consent of a few sovereigns an earnest hope is indulged that these overtures will meet with an attention, animated by the spirit in which they were made, and that they will ultimately be successful.

The ministers who were appointed to the Republics of Colombia and Buenos Ayres during the last session of Congress, proceeded, shortly afterwards, to their destinations. Of their arrival there official intelligence has not yet been received. The minister appointed to the Repub-

lic of Chili, will sail in a few days. An early appointment will also be made to Mexico. A minister has been received from Colombia; and the other governments have been informed that ministers, or diplomatic agents of inferior grade, would be received from each, accordingly as they might prefer the one or the other.

The minister appointed to Spain proceeded, soon after his appointment, for Cadiz, the residence of the sovereign to whom he was accredited. In approaching that port the frigate which conveyed him was warned off by the commander of the French squadron, by which it was blockaded, and not permitted to enter, although apprised, by the captain of the frigate, of the public character of the person whom he had on board, the landing of whom was the sole object of his proposed entry. This act, being considered an infringement of the rights of the ambassadors and of nations, will form a just cause of complaint to the government of France, against the officer by whom it was committed.

The actual condition of the public finances, more than realizes the favorable anticipations that were entertained of it at the opening of the last session of Congress. On the first of January, there was a balance in the Treasury of four millions two hundred and thirty-seven thousand four hundred and twenty-seven dollars and fifty-five cents. From that time to the thirtieth of September, the receipts amounted to upwards of sixteen millions one hundred thousand dollars, and the expenditures to eleven millions four hundred thousand dollars. During the fourth quarter of the year, it is estimated, that the receipts will, at least equal the expenditures, and that there will remain in the Treasury on the first day of January next, a surplus of nearly nine millions of dollars.

On the first of January, eighteen hundred and twenty-five, a large amount of the war debt, and a part of the Revolutionary debt, become redeemable. Additional portions of the former will continue to become redeemable, annually, until the year eighteen hundred and thirty-five. It is believed, however, that if the United States remain at peace, the whole of that debt may be redeemed by the ordinary revenue of those years during that period, under the

provision of the act of March third, eighteen hundred and seventeen, creating the sinking fund, and in that case, the only part of the debt that will remain after the year eighteen hundred and thirty-five, will be the seven millions of five per cent. stock subscribed to the Bank of the United States, and the three per cent. Revolutionary debt, amounting to thirteen millions two hundred and ninety-six thousand and ninety-nine dollars and six cents, both of which are redeemable at the pleasure of the government.

The state of the army in its organization and discipline, has been gradually improving for several years, and has now attained a high degree of perfection. The military disbursements have been regularly made, and the accounts regularly and promptly rendered for settlement. The supplies of various descriptions have been of good quality, and regularly issued at all of the posts. A system of economy and accountability has been introduced into every branch of the service, which admits of little additional improvement. This desirable state has been attained by the act reorganizing the staff of the army, passed on the 14th of April, eighteen hundred and eighteen.

The moneys appropriated for fortifications have been regularly and economically applied, and all the works advanced as rapidly as the amount appropriated would admit. Three important works will be completed in the course of this year: that is, Fort Washington, Fort Delaware, and the Fort at the Rigolets, in Louisiana.

The board of engineers and topographical corps, have been in constant and active service, in surveying the coast, and projecting the works necessary for its defence.

The military academy has attained a degree of perfection in its discipline and instruction, equal, as is believed, to any institution of its kind in any country.

The money appropriated for the use of the Ordnance department, has been regularly and economically applied. The fabrication of arms at the national armories, and by contract with the department, has been gradually improving, in quality and cheapness. It is believed that their quality is now such as to admit of but little improvement.

The completion of the fortifications renders it necessary

that there should be a suitable appropriation for the purpose of fabricating the cannon and carriages necessary for those works.

Under the appropriation of five thousand dollars for exploring the western waters, for the location of a site for a western armory, a commission was constituted consisting of Colonel McRee, Colonel Lee, and Captain Talcott, who have been engaged in exploring the country. They have not yet reported the result of their labors, but it is believed that they will be prepared to do it, at an early part of the session of congress

During the month of June last, general Ashley and his party, who were trading under a licence from the government, were attacked by the Ricarees, while peaceably trading with the Indians, at their request. Several of the party were killed and wounded, and their property taken or destroyed.

Colonel Leavenworth, who commanded Fort Atkinson, at the Council Bluffs, the most western post, apprehending that the hostile spirit of the Ricarees would extend to other tribes in that quarter, and that thereby the lives of the traders on the Missouri, and the peace of the Frontier would be endangered, took immediate measures to check the evil.

With a detachment of the regiment stationed at the Bluffs he successfully attacked the Ricaree village, and it is hoped that such an impression has been made on them, as well as on the other tribes on the Missouri, as will prevent a recurrence of future hostility.

The report of the Secretary of war, which is herewith transmitted, will exhibit, in greater detail, the condition of the department in its various branches, and the progress which has been made in its administration, during the three first quarters of the year.

I transmit a return of the militia of the several states, according to the last reports which have been made by the proper officers in each, to the department of war. By reference to this return, it will be seen that it is not complete, although great exertions have been made to make it so.—As the defence, and even the liberties, of the country must

depend, in times of imminent danger, on the militia, it is of the highest importance, that it be well organized, armed, and disciplined, throughout the union. The report of the secretary of war shews the progress made during the three first quarters of the present year, by the application of the fund appropriated for arming the militia. Much difficulty is found in distributing the arms according to the act of congress providing for it, from the failure of the proper departments in many of the states, to make regular returns. The act of May the twelfth, one thousand eight hundred and twenty, provides that the system of tactics and regulations of the various corps in the regular army, shall be extended to the militia. This act has been very imperfectly executed, from the want of uniformity in the organization of the militia, proceeding from the defects of the system itself, and especially in its application to that main arm of the public defence. It is thought that this important subject, in all its branches, merits the attention of congress.

The report of the secretary of the navy, which is now communicated, furnishes an account of the administration of that department, for the three first quarters of the present year, with the progress made in augmenting the navy, and the manner in which the vessels in commission have been employed.

The usual force has been maintained in the Mediterranean sea, the Pacific ocean, and along the Atlantic coast, and has afforded the necessary protection to our commerce in those seas.

In the West Indies, and the Gulf of Mexico, our naval force has been augmented, by the addition of several small vessels, provided for by the "act authorising an additional naval force for the suppression of piracy," passed by congress at their last session. That armament has been eminently successful in the accomplishment of its object. The piracies, by which our commerce in the neighborhood of the island of Cuba had been afflicted, have been repressed, and the confidence of our merchants, in a great measure, restored.

The patriotic zeal and enterprise of Commodore Porter,

to whom the command of the expedition was confided, has been fully seconded by the officers and men under his command. And, in reflecting, with high satisfaction, on the honorable manner in which they have sustained the reputation of their country, and its navy, the sentiment is alloyed only by a concern, that, in the fulfilment of that arduous service, the disease incident to the season, and to the climate in which it was discharged, have deprived the nation of many useful lives, and among them of several officers of great promise.

In the month of August, a very malignant fever made its appearance at Thompson's Island, which threatened the destruction of our station there.—Many perished, and the commanding officer was severely attacked. Uncertain as to his fate, and knowing that most of the medical officers had been rendered incapable of discharging their duties, it was thought expedient to send to that post an officer of rank and experience, with several skilful surgeons, to ascertain the origin of the fever, and the probability of its recurrence there in future seasons; to furnish every assistance to those who were suffering, and if practicable to avoid the necessity of abandoning so important a station.—Commodore Rodgers, with a promptitude which did him honor, cheerfully accepted that trust, and has discharged it in the manner anticipated from his skill and patriotism. Before his arrival, commodore Porter, with the greater part of the squadron, had removed from the Island, and returned to the United States, in consequence of the prevailing sickness. Much useful information has, however, been obtained, as to the state of the Island, and great relief afforded to those who had been necessarily left there.

Although our expedition, co-operating with an invigorated administration of the government of the Island of Cuba, and with the corresponding active exertions of a British naval force in the same seas, have almost entirely destroyed the unlicensed piracies from that Island, the success of our exertions have not been equally effectual to suppress the same crime, under other pretences and colors, in the neighboring Island of Porto Rico.—They have been committed there under the abusive issue of Spanish commis-

sions. At an early period of the present year, remonstrances were made to the governor of that Island, by an Agent, who was sent for the purpose, against those outrages on the peacefnl commerce of the United States, of which many had occurred. That officer, professing his own want of authority to make satisfaction for our just complaints, answered only by a reference of them to the government of Spain. The minister of the United States to that Court, was especially instructed to urge the necessity of the immediate and effectual interposition of that government, directing restitution and indemnity for wrongs already committed, and interdicting the repetition of them. The minister, as has been seen, was debarred access to the Spanish government, and, in the mean time, several new cases of flagrant outrage have occurred, and citizens of the United States in the island of Porto Rico have suffered, and others been threatened with assassination, for asserting their unquestionable rights, even before the lawful tribunals of the country.

The usual orders have been given to all our public ships to seize American vessels engaged in the slave trade, and bring them in for adjudication; and I have the gratification to state, that not one so employed has been discovered, and there is good reason to believe that our flag is now seldom if at all, disgraced by that traffic.

It is a source of great satisfaction, that we are always enabled to recur to the conduct of our navy with pride and commendation. As a means of national defence, it enjoys the public confidence, and is steadily assuming additional importance. It is submitted, whether a more efficient and equally economical organization of it might not, in several respects, be effected. It is supposed that higher grades than now exist by law, would be useful. They would afford well merited rewards to those who have long and faithfully served their country; present the best incentives to good conduct, and the best means of ensuring a proper discipline; destroy the inequality in that respect between the military and naval services, and relieve our officers from many inconveniences and mortifications, which occur when our vessels meet those of

other nations—ours being the only service in which such grades do not exist.

A report of the post master general, which accompanies this communication, will show the present state of the post office department, and its general operations for some years past.

There is established by law eighty-eight thousand six hundred miles of post roads, on which the mail is now transported eighty-five thousand seven hundred miles; and contracts have been made for its transportation on all the established routes, with one or two exceptions. There are five thousand two hundred and forty post offices in the Union, and as many post masters. The gross amount of postage which accrued from the first of July, one thousand eight hundred and twenty-three, was one million one hundred and fourteen thousand three hundred and forty-five dollars and twelve cents. During the same period, the expenditures of the post office department amounted to one million one hundred and sixty-nine thousand eight hundred and eighty-five dollars, and fifty-one cents; and consisted of the following items:—compensation to post-masters, three hundred and fifty-three thousand nine hundred and ninety-five dollars and ninety-eight cents; incidental expenses, thirty thousand eight hundred and sixty-six dollars and thirty-seven cents; transportation of the mail, seven hundred and eighty-four thousand six hundred dollars and eight cents; payments into the treasury, four hundred and twenty-three dollars, and eight cents. On the first of July last, there was due to the department, from post masters, one hundred and thirty-five thousand two hundred and forty-five dollars and twenty-eight cents; from late postmasters and contractors two hundred and fifty-six thousand seven hundred and forty-nine dollars and thirty-one cents; making a total amount of balances due to the department, of three hundred and ninety-one thousand nine hundred and ninety-four dollars and fifty-nine cents. These balances embrace all delinquencies of postmasters and contractors, which have taken place since the organization of the department. There was due by the department to contractors, on the first day

of July last twenty-six thousand five hundred and forty-eight dollars and sixty-four cents.

The transportation of the mail, within five years past, has been greatly extended, and the expenditures of the department proportionally increased. Although the postage which has accrued within the last three years, has fallen short of the expenditures two hundred and sixty-two thousand eight hundred and twenty-one dollars and forty-six cents, it appears that collections have been made, from the outstanding balances, to meet the principal part of the current demands.

It is estimated, that not more than two hundred and fifty thousand dollars of the above balances can be collected, and that a considerable part of this sum can only be realized by a resort to legal process. Some improvement in the receipts of postage is expected. A prompt attention to the collection of moneys received by postmasters, it is believed, will enable the department to continue its operations without aid from the treasury, unless the expenditure shall be increased by the establishment of new mail routes.

A revision of some parts of the post office law may be necessary; and it is submitted, whether it would not be proper to provide for the appointment of postmasters, where the compensation exceeds a certain amount, by nomination to the senate, as other officers of the general government are appointed.

Having communicated my views to congress, at the commencement of the last session, respecting the encouragement which ought to be given to our manufactures, and the principle on which it should be founded, I have only to add, that those views remain unchanged, and that the present state of those countries with which we have the most immediate political relations, and greatest commercial intercourse, tends to confirm them. Under this impression, I recommend a review of the tariff, for the purpose of affording such additional protection to those articles which we are prepared to manufacture, or which are more immediately connected with the defence and independence of the country.

The actual state of the public accounts furnishes additional evidence of the efficiency of the present system of accountability, in relation to the public expenditure. Of the money drawn from the Treasury since the fourth of March, one thousand eight hundred and seventeen, the sum remaining unaccounted for, on the thirtieth of September last, is more than a million and a half of dollars less than on the thirtieth of September preceding, and during the same period, a deduction of nearly a million of dollars has been made in the amount of the unsettled accounts for moneys advanced previously to the fourth of March, one thousand eight hundred and seventeen. It will be obvious, that, in proportion as the mass of accounts of the latter description is diminished, by settlement, the difficulty of settling the residue is increased, from the consideration, that, in many instances, it can be obtained only by legal process. For more precise details on this subject, I refer to a report from the First Comptroller of the Treasury.

The sum which was appropriated at the last session, for the repair of the Cumberland road, has been applied with good effect to that object. A final report has not yet been received from the agent who was appointed to superintend it. As soon as it is received, it shall be communicated to Congress.

Many patriotic and enlightened citizens, who have made the subject an object of particular investigation, have suggested an improvement of still greater importance. They are of opinion that the waters of the Chesapeake and Ohio may be connected together, by one continued canal, and at an expense far short of the value and importance of the object to be obtained. If this could be accomplished, it is impossible to calculate the beneficial consequences which would result from it. A great portion of the produce of the very fertile country through which it would pass, would find a market through that channel. Troops might be moved with great facility in war, with cannon, and every kind of munition, and in either direction. Connecting the Atlantic with the Western country, in a line passing through the seat of the national government, it would contribute

essentially to strengthen the bond of Union itself. Believing, as I do, that Congress possesses the right to appropriate money for such a national object, (the jurisdiction remaining to the states through which the canal would pass,) I submit it to your consideration whether it may not be advisable to authorise, by an adequate appropriation, the employment of a suitable number of the officers of the corps of engineers, to examine the unexplored ground during the next season, and to report their opinion thereon. It will likewise be proper to extend their examination to the several routes through which the waters of the Ohio may be connected, by canals, with those of Lake Erie.

As the Cumberland road will require annual repairs, and Congress have not thought it expedient to recommend to the states an amendment to the constitution, for the purpose of vesting in the United States a power to adopt and execute a system of internal improvement, it is also submitted to your consideration, whether it may not be expedient to authorise the Executive to enter into an arrangement with the several states through which the road passes, to establish tolls, each within its limits, for the purpose of defraying the expense of future repairs, and providing, also, by suitable penalties, for its protection against future injuries.

The act of Congress of the seventh of May, one thousand eight hundred and twenty-two, appropriated the sum of twenty-two thousand seven hundred dollars for the purpose of erecting two piers as a shelter for vessels from ice, near Cape Henlopen, Delaware Bay. To effect the object of the act, the officers of the board of engineers, with commodore Bainbridge, were directed to prepare plans and estimates of piers sufficient to answer the purpose intended by the act. It appears by their report, which accompanies the documents from the war department, that the appropriation is not adequate to the purpose intended; and, as the piers would be of great service, both to the navigation of the Delaware Bay, and the protection of vessels on the adjacent parts of the coast, I submit for the consideration of congress whether additional and sufficient appropriation should not be made.

The board of engineers were also directed to examine and survey the entrance of the harbor of the port of Presqu-isle in Pennsylvania, in order to make an estimate of the expense of removing the obstructions to the entrance, with a plan of the best mode of effecting the same under the appropriation for that purpose, by act of congress passed 3d March last. The report of the board accompanies the papers from the war department, and is submitted for the consideration of congress.

A strong hope has been long entertained, founded on the heroic struggle of the Greeks, that they would succeed in their contest, and resume their equal station among the nations of the earth. It is believed that the whole civilized world takes a deep interest in their welfare. Although no power has declared in their favor, yet none, according to our information, has taken part against them. Their cause and their name have protected them from dangers, which might, ere this, have overwhelmed any other people. The ordinary calculations of interest and of acquisition, with a view to aggrandizement, which mingle so much in the transactions of nations, seem to have had no effect in regard to them.—From the facts which have come to our knowledge, there is good cause to believe that their enemy has lost forever all dominion over them: that Greece will become again an independent nation. That she may obtain that rank, is the object of our most ardent wishes.

It was stated at the commencement of the last session, that a great effort was then making in Spain and Portugal to improve the condition of the people of those countries, and that it appeared to be conducted with extraordinary moderation. It need scarcely be remarked, that the result has been, so far, very different from what was then anticipated. Of events in that quarter of the globe, with which we have so much intercourse, and from which we derive our origin, we have always been anxious and interested spectators. The citizens of the United States cherish sentiments the most friendly, in favor of the liberty and happiness of their fellow-men, on that side of the Atlantic. In the wars of the European powers, in matters relating to themselves, we have never taken any part, nor does it com-

port with our policy so to do. It is only when our rights are invaded, or seriously menaced, that we resent injuries or make preparation for our defence. With the movements in this hemisphere, we are, of necessity, more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the Allied Powers, is essentially different, in this respect from that of America. This difference proceeds from that which exists in their respective governments. And to the defence of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to candor, and to the amicable relations existing between the United States and those powers, to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere, as dangerous to our peace and safety. With the existing colonies or dependencies of any European power, we have not interfered, and shall not interfere. But, with the governments who have declared their independence and maintained it and whose independence we have, on great consideration, and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling, in any other manner, their destiny, by any European power in any other light than as the manifestation of an unfriendly, disposition towards the United States. In the war between those new governments and Spain, we declared our neutrality at the time of their recognition, and to this we have adhered, and shall continue to adhere, provided no change shall occur, which in the judgment of the competent authorities of this government, shall make a corresponding change, on the part of the United States, indispensable to their security.

The late events in Spain and Portugal, shew that Europe is still unsettled. Of this important fact, no stronger proof can be adduced, than that the allied powers should have thought it proper on any principle satisfactory to themselves, to have interposed, by force, in the internal concerns of

Spain. To what extent such interposition may be carried, on the same principle, is a question, in which all independent powers, whose governments differ from theirs, are interested, even those most remote, and surely none more so than the U. States. Our policy, in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government *de facto* as the legitimate government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm and manly policy, meeting, in all instances; the just claims of every power, submitting to injuries from none. But, in regard to those continents, circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent, without endangering our peace and happiness; nor can any one believe that our Southern Brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference. If we look to the comparative strength and resources of Spain and those new governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States, to leave the parties to themselves, in the hope that other powers will pursue the same course.

If we compare the present condition of our union with its actual state at the close of our Revolution, the history of the world furnishes no example of a progress in improvement in all the important circumstances which constitute the happiness of a nation, which bears any resemblance to it. At the first epoch, our population did not exceed three millions. By the last census it amounted to about ten millions, and, what is more extraordinary, it is almost altogether native—for the emigration from other countries has been inconsiderable. At the first epoch, half the territory within our acknowledged limits was uninhabited and a wilderness. Since then, new territory has been acquired, of vast extent, comprising within it many

rivers, particularly the Mississippi, the navigation of which to the ocean was of the highest importance to the original states. Over this territory our population has expanded in every direction, and new states have been established almost equal in number to those which formed the first bond of our Union. This expansion of our population, and accession of new States to our Union, have had the happiest effect on all its highest interests. That it has eminently augmented our resources, and added to our strength and respectability as a power, is admitted by all. But, it is not in these important circumstances only, that this happy effect is felt. It is manifest that, by enlarging the basis of our system, and increasing the number of states, the system itself has been greatly strengthened in both its branches. Consolidation and disunion have thereby been rendered equally impracticable. Each government, confiding in its own strength, has less to apprehend from the other, and in consequence, each enjoying a greater freedom of action, is rendered more efficient for all the purposes for which it was instituted. It is unnecessary to treat, here, of the vast improvement made in the system itself, by the adoption of this constitution, and of its happy effect in elevating the character, and in protecting the rights of the nation as well as of individuals. To what then do we owe these blessings? It is known to all, that we derive them from the excellence of our institutions. Ought we not then to adopt every measure, which may be necessary to perpetuate them.

JAMES MONROE.

Washington, December 2, 1823.

MESSAGE

OF THE

PRESIDENT OF THE U. STATES,

TO BOTH HOUSES OF CONGRESS,

DECEMBER 1, 1824.

Fellow citizens of the Senate
and of the House of Representatives.

The view which I have now to present to you, of our affairs, foreign and domestic, realizes the most sanguine anticipations which have been entertained, of the public prosperity. If we look to the whole, our growth as a nation, continues to be rapid beyond example: if to the states which compose it, the same gratifying spectacle is exhibited. Our expansion over the vast territory within our limits, has been great, without indicating any decline in those sections from which the emigration has been most conspicuous. We have daily gained strength, by a native population, in every quarter: a population, devoted to our happy system of government, and cherishing the bond of union with fraternal affection. Experience has already shown, that the difference of climate, and of industry proceeding from that cause inseparable from such vast domains, and which under other systems, might have a repulsive tendency, cannot fail to produce with us, under wise regulations, the opposite effect. What one portion wants the other may supply, and this will be most sensibly felt by the parts most distant from each other, forming thereby a domestic market, and an active intercourse between the extremes, and throughout every portion of our Union. Thus, by a happy distribution of power between

the national and state governments; governments which rest, exclusively, on the sovereignty of the people, and are fully adequate to the great purposes for which they were respectively instituted, causes which might otherwise lead to dismemberment, operate powerfully to draw us closer together. In every other circumstance, a correct view of the actual state of our union, must be equally gratifying to our constituents. Our relations with foreign powers are of a friendly character, although certain interesting differences remain unsettled with some. Our revenue, under the mild system of impost and tonnage, continues to be adequate to all the purposes of the government. Our agriculture, commerce, manufactures, and navigation flourish. Our fortifications are advancing in the degree authorised by existing appropriations, to maturity; and due progress is made in the augmentation of the navy, to the limit prescribed for it by law. For these blessings we owe to Almighty God, from whom we derive them, and with profound reverence, our most grateful and unceasing acknowledgments.

In adverting to our relations with foreign powers, which are always an object of the highest importance, I have to remark, that of the subjects which have been brought into discussion with them, during the present administration, some have been satisfactorily terminated; others have been suspended, to be resumed hereafter, under circumstances more favorable to success; and others are still in negotiation, with the hope that they may be adjusted, with mutual accommodation, to the interests and to the satisfaction of the respective parties. It has been the invariable object of this government to cherish the most friendly relations with every power, and on principles and conditions which might make them permanent. A systematic effort has been made to place our commerce, with each power, on a footing of perfect reciprocity; to settle with each, in a spirit of candor and liberality, all existing differences, and to anticipate and remove, so far as it might be practicable, all causes of future variance.

It having been stipulated, by the seventh article of the convention of navigation and commerce, which was con-

cluded on the 24th of June, 1822, between the United States and France, that the said convention should continue in force for two years from the first of October of that year, and for an indefinite term afterwards, unless one of the parties should declare its intention to renounce it, in which event it should cease to operate at the end of six months from such declaration; and no such intention having been announced, the convention having been found advantageous to both parties, it has since remained, and still remains in full force. At the time when that convention was concluded many interesting subjects were left unsettled, and particularly our claims to indemnity for spoilations which were committed on our commerce in the late wars. For these interests and claims, it was in the contemplation of the parties to make provision at a subsequent day, by a more comprehensive and definitive treaty. The object has been duly attended to since, by the executive, but as yet it has not been accomplished. It is hoped that a favorable opportunity will present itself for opening a negotiation, which may embrace and arrange all existing differences, and every other concern in which they have a common interest, upon the accession of the present King of France, an event which has occurred since the close of the last session of congress.

With Great Britain, our commercial intercourse rests on the same footing that it did at the last session. By the convention of 1815, the commerce between the United States and the British dominions, in Europe, and the East Indies, was arranged on a principle of reciprocity. That convention was confirmed and continued in force, with slight exceptions, by a subsequent treaty, for the term of ten years, from the 20th of October, 1818, the date of the latter. The trade with the British colonies in the West Indies, has not, as yet, been arranged by treaty, or otherwise, to our satisfaction. An approach to that result has been made by legislative acts, whereby many serious impediments which had been raised by the parties, in defence of their respective claims, were removed. An earnest desire exists, and has been manifested, on the part of this government, to place the commerce with the colonies,

likewise, on a footing of reciprocal advantage, and it is hoped that the British government, seeing the justice of the proposal, and its importance to the colonies, will, ere long, accede to it.

The commissioners who were appointed for the adjustment of the boundary, between the territory of the United States and those of Great Britain, specified in the fifth article of the treaty of Ghent, having disagreed in their decision; and both governments having agreed to establish that boundary, by amicable negotiation between them, it is hoped that it may be satisfactorily adjusted in that mode. The boundary specified by the sixth article, has been established, by the decision of the commissioners. From the progress made in that provided for by the seventh, according to a report recently received, there is good cause to presume that it will be settled in the course of the ensuing year.

It is a cause of serious regret, that no arrangement has yet been finally concluded between the two governments, to secure by joint co-operation, the suppression, of the slave trade. It was the object of the British government, in the early stages of the negotiation, to adopt a plan for the suppression, which should include the concession of the mutual right of search, by the ships of war of each party, of the vessels of the other, for suspected offenders. This was objected to by this government, on the principle that as the right of search was a right of war of a billigerent towards a neutral power, it might have an ill effect to extend it, by treaty, to an offence which had been made comparatively mild to a time of peace. Anxious however, for the suppression of this trade, it was thought advisable, in compliance with a resolution of the house of representatives, founded on an act of congress to propose to the British government an expedient, which should be free from that objection, and more effectual for the object, by making it piratical.

In that mode, the enormity of the crime would place the offenders out of the protection of their government, and involve no question of search, or other question, between the parties, touching their respective rights. It was be-

lieved, also, that it would completely suppress the trade, in vessels of both parties, and by their respective citizens and subjects in those of other powers, with whom, it was hoped, that the odium which would thereby be attached to it, would produce a corresponding arrangement, and by means thereof, its entire extirpation forever. A convention to this effect was concluded and signed in London, on the thirteenth day of March, 1824, by plenipotentiaries duly authorised by both governments, to the ratification of which certain obstacles have arisen, which are not yet entirely removed. The differences between the parties still remaining, has been reduced to a point, not of sufficient magnitude, as is presumed, to be permitted to defeat an object so near the heart of both nations, and so desirable to the friends of humanity throughout the world. As objections however, to the principle recommended by the house of representatives, or at least to the consequences inseparable from it, and which are understood to apply to the law, have been raised, which may deserve a reconsideration of the whole subject, I have thought proper to suspend the conclusion of a new convention until the definitive sentiments of congress may be ascertained. The documents relating to the negotiation, are with that intent, submitted to your consideration.

Our commerce with Sweden has been placed on a footing of perfect reciprocity, by treaty; and with Russia, the Netherlands, Prussia, the free Hanseatic cities, the Dukedoms of Oldenburg and Sardina, by internal regulations on each side, founded on mutual agreement, between the respective governments.

The principles upon which the commercial policy of the United States is founded, are to be traced to an early period. They are essentially connected with those upon which their independence was declared, and owe their origin to the enlightened men who took the lead in our affairs at that important epoch. They are developed in their first treaty of commerce with France, of the 6th of February, 1778, and by a formal commission which was instituted immediately after the conclusion of their revolutionary struggle, for the purpose of negotiating treaties of commerce with

every European power. The first treaty of the United States with Prussia, which was negotiated by that commission, affords a signal illustration of those principles. The act of congress of the 3d of March, 1815, adopted immediately after the return of a general peace, was a new overture to foreign nations, to establish our commercial relations with them, on basis of free and equal reciprocity. That principle has pervaded all the acts of congress, and all the negotiation of the executive on the subject since.

A convention for the settlement of important questions, in relation to the North-West coast of this continent, and its adjoining seas, was concluded and signed at St. Petersburgh on the of last, by the minister Plenipotentiary of the United States, and plenipotentiary of the imperial government of Russia. It will be immediately laid before the senate, for the exercise of the constitutional authority of that body, with reference to its ratification. It is proper to add, that the manner in which this negotiation was invited and conducted, on the part of the emperor, has been very satisfactory.

The great and extraordinary changes which have happened in the governments of Spain and Portugal, within the last two years, without seriously affecting the friendly relations which, under all of them, have been maintained with those powers, by the United States, have been obstacles to the adjustment of the particular subjects of discussion which have arisen with each. A resolution of the senate, adopted at their last session, called for information, as to the effect produced upon our relations with Spain, by the recognition, on the part of the United States, of the independent South American governments. The papers containing that information are now communicated to congress.

A charge d'affairs has been received from the independent government of Brazil. That country heretofore, a colonial possession of Portugal, had some years since been proclaimed, by the sovereign of Portugal himself, an independent kingdom. Since his return to Lisbon, a revolution in Brazil has established a new government there, with an imperial title, at the head of which is placed the prince in whom the regency had been vested, by the king, at the

time of his departure, there is reason to expect, that by amicable negotiation, the independence of Brazil will ere long be recognized by Portugal herself.

With the remaining powers of Europe, with those on the coast of Barbary and with all the new South American states, our relations are of a friendly character. We have ministers plenipotentiary residing with the republics of Colombia and Chili, and have received ministers, of the same rank, from Colombia, Gautimala, Buenos Ayres and Mexico. Our commercial relations, with all those states, are mutually beneficial and increasing. With the republic of Colombia, a treaty of commerce has been formed, of which a copy is received, and the original daily expected. A negotiation for a like treaty, would have been commenced with Buenos Ayres, had it not been prevented by the indisposition and lamented decease of Mr. Rodney, our minister there, and to whose memory the most respectful attention has been shown, by the government of that republic. An advantageous alteration in our treaty with Tunis, has been obtained, by our consular agent there, the official document of which, when received, will be laid before the senate.

The attention of the government has been drawn with great solicitude to other subjects, and particularly to that relating to a state of maritime war, involving the relative rights of neutral and belligerant in such wars. Most of the difficulties which we have experienced, and of the losses which we have sustained, since the establishment of our independence, have proceeded from the unsettled state of those rights, and the extent to which the belligerant claim has been carried against the neutral party. It is impossible to look back on the occurrences of the late wars in Europe and to behold the disregard which was paid to our rights as a neutral power, and the waste which was made of our commerce by the parties to those wars, by various acts of their respective governments, and under the pretext by each, that the other had set the example, without great mortification, and a fixed purpose never to submit to the like in future. An attempt to remove those causes of possible variance, by friendly negotiation, and on just principles, should be applicable to all parties, could, it was presumed,

be viewed by none, other than as a proof of an earnest desire to preserve those relations with every power. In the late war between France and Spain, a crisis occurred in which it seemed probable that all the controvertible principles, involved in such wars, might be brought into discussion, and settled to the satisfaction of all parties. Propositions having this object in view, have been made to the governments of Great Britain, France, Russia, and of other powers, which have been received in a friendly manner by all, but as yet no treaty has been formed with either for its accomplishment. The policy will, it is presumed, be persevered in, and in the hope that it may be successful.

It will always be recollected, that with one of the parties to those wars, and from whom we received those injuries, we sought redress by war.—From the other by whose then reigning government our vessels were seized in port as well as at sea, and their cargoes confiscated, indemnity has been expected, but has not yet been rendered. It was under the influence of the latter that our vessels were likewise seized by the goverments of Spain, Holland, Denmark, Sweden and Naples, and from whom indemnity has been claimed and is still expected, with the exception of Spain, by whom it has been rendered. With both parties we had abundant cause of war but we had no alternative but to resist that which was most powerful at sea, and pressed us nearest at home. With this, all differences were settled by a treaty, founded on conditions fair and honorable to both, and which has been so far executed with perfect good faith. It has been earnestly hoped, that the other would, of its own accord and from a sentiment of justice and conciliation, make to our citizens, the indemnity to which they are entitled, and thereby remove from our relations any just cause of discontent on our side.

It is estimated that the receipts into the treasury during the current year, exclusive of loans, will exceed eighteen million five hundred thousand dollars, which with the sum remaining in the treasury, at the end of the last year, amounting to $9,463,922 81 cents, will, after discharging the current disbursements of the year the interest on the public debt, and upwards of $11,500,000 of the principal,

leave a balance of more than three million dollars in the treasury on the first day of January next.

A larger amount of the debt contracted during the late war, bearing an interest of six per cent. becoming redeemable in the course of the ensuing year, than could be discharged by the ordinary revenue, the act of the twenty sixth of May, authorised a loan of five million dollars, at four and a half per cent, to meet the same. By this arrangement annual saving will accrue to the public of $75,000.

Under the act of the twenty-fourth of May last, a loan of five million dollars was authorised, in order to meet the awards, under the Florida treaty, which was negotiated at par, with the Bank of the United States, at four and a half per cent. the limit of interest fixed by the act. By this provision the claims of our citizens, who had sustained so great a loss by spoilations, and from whom indemnity had been so long withheld, were promptly paid. For these advances, the public will be amply repaid, at no distant day, by the sale of the lands in Florida. Of the great advantages resulting from the acquisition of the territory in other respects, too high an estimate cannot be formed.

It is estimated that the receipts into the treasury, during the year one thousand eight hundred and twenty-five, will be sufficient to meet the disbursements of the year, including the sum ten million dollars, which is annually appropriated by the act, constituting the sinking fund, to the payment of the principal and interest of public debt.

The whole amount of the public debt on the first of January next, may be estimated at eighty six million dollars inclusive of two million five hundred thousand dollars of the loan authorised by the act of the twenty sixth of May last. In this estimate is included a stock of seven million dollars, issued for the purchase of that amount of the capital stock of the Bank of the United States; and which, as the stock of the Bank, still held by the Government, will at least be fully equal to its reimbursement, ought not to be considered as constituting a part of the public debt. Estimating then, the whole amount of the public debt at seventy nine million dollars, and regarding the annual receipts and expenditures of the government, a well founded hope may be entertained

that, should no unexpected event occur, the whole public debt may be discharged in the course of ten years and the Government be left at liberty thereafter to apply such portion of the revenue as may not be necessary for current expenses, to such other objects as may be most conducive to the public security and welfare. That the sum applicable to these objects, will be very considerable may be fairly concluded, when it is recollected that a large amount of the public revenue has been applied since the late war, to the construction of the public buildings in this city; to the erection of fortifications along the coast, and of arsenals in different parts of the Union; to the augmentation of the navy; to the extinguishment of the Indian titles to large tracts of fertile territory; to the acquisition of Florida; to pensions, to revolutionary officers and soldiers, and to invalids of the late war. On many of these objects the expense will annually diminish, and cease at no distant period on most or all? On the first of January one thousand eight hundred and seventeen, the public debt amounted to one hundred and twenty three million four hundred and ninety one thousand nine hundred and sixty five dollars and sixteen cents, and notwithstanding the large sums which have been applied to these objects it has been reduced since that period, thirty seven million four hundred and forty six thousand nine hundred and sixty one dollars and seventy eight cents. The last portion of the public debt will be redeemable on the first of January one thousand eight hundred and thirty five; and while there is the best reason to believe, that the resources of the Government will be continually adequate to such portions of it as may become due in the interval, it is recommended to Congress to seize every opportunity, which may present itself, to reduce the rate of interest on every part thereof. The high state of the public credit, and the great abundance of money, are at this time very favorable to such a result. It must be very gratifying to our fellow citizens, to witness this flourishing state of the public finances, when it is recollected, that no burden whatever has been imposed upon them.

The military establishment, in all its branches, in the performance of the various duties assigned to each, justifies

the favorable view which was presented of the efficiency of its organization at the last session. All the appropriations have been regularly applied to the objects intended by congress; and so far as the disbursements have been made, the accounts have been rendered and settled, without loss to the public. The condition of the army itself, as relates to the officers and men, in science and discipline, is highly respectable. The military academy; on which the army essentially rests, and to which it is much indebted for this state of improvement, has attained in comparison with any other institution of a like kind, a high degree of perfection. Experience, however, has shewn, that the dispersed condition of the corps of artillery is unfavorable to the discipline of that important branch of the military establishment. To remedy this inconvenience, eleven companies have been assembled at the fortification erected at Old Point Comfort, as a school for artillery instruction; with intention, as they shall be perfected in the various duties of that service, to order them to other posts, and to supply their places with other companies for instruction, in like manner. In this mode, a complete knowledge of the science and duties of this arm, will be extended throughout the whole corps of artillery. But, to carry this object fully into effect, will require the aid of congress; to obtain which, the subject is now submitted to your consideration.

Of the progress which has been made in the construction of fortifications, for the permanent defence of our maritime frontier, according to the plan decided on, and to the extent of the existing appropriations, the report of the secretary of war, which is herewith communicated, will give a detailed account. Their final completion cannot fail to give great additional security to that frontier, and to diminish proportionably, the expense of defending it in the event of war.

The provisions in the several acts of congress, of the last session, for the improvement of the navigation of the Mississippi and the Ohio, of the harbor of Presquisle on lake Erie, and the repair of the Plymouth beach, are in a course of regular execution; and, there is reason to believe, that the appropriation, in each instance, will be adequate to the object. To carry these improvements fully into effect, the

superintendence of them has been assigned to officers of the corps of engineers.

Under the act of the 30th April last, authorizing the president to cause a survey to be made, with the necessary plans and estimates, of such roads and canals, as he might deem of national importance, in a commercial or military point of view, or for the transportation of the mail, a board has been instituted, consisting of two distinguished officers of the corps of engineers, and a distinguished civil engineer, with assistants, who have been actively employed in carrying into effect the object of the act. They have carefully examined the route between the Potomac and Ohio rivers; between the latter and lake Erie: between the Alleghany and the Susqueannah; and the routes between the Delaware and the Rarition, Barnstable, and Buzzard's Bay, and between Boston harbor and Narraganset Bay. Such portion of the corps of Topographical engineers as could be spared from the survey of the coast, has been employed in surveying the very important route between the Potomac and the Ohio. Considerable progress has been made in it, but the survey cannot be completed until the next season. It is gratifying to add, from the view already taken, that there is good cause to believe that this great national object may be fully accomplished.

It is contemplated to commence early in the next season, the execution of the other branch of the act, that which relates to roads, and with the survey of a route from this city, through the southern states, to New-Orleans, the importance of which cannot be too highly estimated. All the officers of both the corps of engineers who could be spared from other services, have been employed in exploring and surveying the routes for canals. To digest a plan for both objects, for the greater purposes specified, will require a thorough knowledge of every part of our Union and of the relation of each part to the others, and of all to the seat of the general government. For such a digest it would be necessary that the information be full, minute, and precise. With a view to these important objects, I submit to the consideration of congress, the propriety of enlarging both the corps of engineers, the military and topographical. It

need scarcely be remarked that the more extensively these corps are engaged in the improvement of their country, in the execution of the powers of congress, and in aid of the states in such improvements as lie beyond that limit, when such aid is desired, the happier the effect will be in many views of which the subject is susceptible. By profiting of their science, the works will always be well executed; and by giving to the officers such employment, our Union will derive all the advantage in peace as well as in war, from their talents and services, which they can afford. In this mode, also, the military will be incorporated with the civil, and unfounded and injurious distinctions and prejudices of every kind be done away. To the corps themselves, this service cannot fail to be equally useful, since by the knowledge they would thus acquire, they would be eminently better qualified, in the event of war, for the great purposes for which they were instituted.

Our relations with the Indian tribes within our limits, have not been materially changed during the year. The hostile disposition evinced by certain tribes on the Missouri during the last year, still continues, and has extended, in some degree, to those on the Upper Mississippi and the Upper Lakes. Several parties of our citizens have been plundered and murdered by those tribes. In order to establish relations of friendship with them, congress, at the last session, made an appropriation for treaties with them, and for the employment of a suitable military escort to accompany and attend the commissioners at the places appointed for the negotiations. This object has not been effected. The season was too far advanced when the appropriation was made, and the distance too great to permit it, but measures have been taken, and all the preparations will be completed, to accomplish it an early period in the next season.

Believing that the hostility of the Tribes, particularly on the upper Mississippi, and the lakes is in no small degree owing to the wars which are carried on between the tribes residing in that quarter, measures have been taken to bring about a general peace among them, which, if successful, will not only tend to the security of our citizens, but be of great advantage to the Indians themselves.

With the exception of the tribes referred to, our relations with all the others are on the same friendly footing, and it affords me great satisfaction to add, that they are making steady advances in civilization, and the improvement of their condition. Many of the tribes have already made great progress in the arts of civilized life. This desirable result has been brought about by the humane and persevering policy of the government, and particularly by means of the appropriation for the civilization of the Indians. There have been established, under the provisions of this act, thirty-two schools, containing nine hundred and sixteen scholars, who are well instructed in several branches of literature, and likewise in agriculture, and the ordinary arts of life.

Under the appropriation to authorise treaties with the Creeks and Quapaw Indians, commissioners have been appointed, and negotiations are now pending, but the result is not yet known.

For more full information respecting the principle which has been adopted for carrying in to effect the act of Congress, authorising surveys, with plans and estimates for canals and roads, and on every other branch of duty incident to the department of war, I refer you to the report of the secretary.

The squadron in the Mediterranean has been maintained in the extent which was proposed in the report of the secretary of the navy of the last year, and has afforded to our commerce, the necessary protection in that sea. Apprehending however, that the unfriendly relations which existed between the Algiers and some of the powers of Europe, might be extended to us, it has been thought expedient to augment the forces there, and, in consequence, the "North Carolina," a ship of the line, has been prepared, and will sail in a few days to join it.

The force employed in the Gulf of Mexico, and in the neighboring seas, for the suppression of piracy, has likewise been preserved essentially in the state in which it was during the last year. A persevering effort has been made for the accomplishment of that object, and much protection has thereby been afforded to our commerce, but still the practice is

far from being suppressed. From every view which has been taken of the subject, it is thought that it will be necessary rather to augment than to diminish our force in that quarter.—There is reason to believe that the piracies now complained of, are committed by bands of robbers who inhabit the land, and who, by preserving good intelligence with the towns, and seizing favorable opportunities rush forth and fall on unprotected merchant vessels, of which they make an easy prey. The pillage thus taken, they carry to their lurking places, and dispose of afterwards, at prices tending to seduce the neighboring population. This combination is understood to be of great extent; and is the more to be depricated, because the crime of piracy is often attended with the murder of the crews, these robbers knowing, if any survived, their lurking places would be exposed and they be caught and punished. That this attrocious practice should be carried to such extent, is cause of equal surprize and regret. It is presumed that it must be attributed to the relaxed and feeble state of the local government since it is not doubted from the high character of the governor of Cuba, who is well known and much respected here, that if he had the power, he would promptly suppress it. Whether those robbers should be pursued on the land, the local authorities be made responsible for these attrocities, or any other measure be resorted to, to suppress them, is submitted to the consideration of congress.

In execution of the laws for the suppression of the slave trade, a vessel has been occasionally sent from that squadron to the coast of Africa, with orders to return thence by the usual track of the slave ships, and to seize any of our vessels which might be engaged in that trade. None have been found, and, it is believed, that none are thus employed. It is well known, however, that the trade still exists under other flags.

The health of our squadron, while at Thompson's Island, has been much better during the present, than it was the last season. Some improvements have been made, and others are contemplated there, which, it is believed will have a salutary effect.

On the Pacific, our commerce has been much increased,

and on that coast, as well as on that sea, the United States have many important interests which require attention and protection. It is thought that all the considerations which suggested the expediency of placing a squadron on that sea, operate with augmented force, for maintaining it there at least an equal extent.

For detailed information respecting the state of our maritime force, on each sea, the improvement necessary to be made on either, in the organization of the naval establishment generally, and of the laws for its better government, I refer you to the report of the secretary of the navy, which is herewith communicated.

The revenue of the post office department has received a considerable augmentation in the present year.—The current receipts will exceed the expenditures, although the transportation of the mail, within the year, has been much increased. A report of the postmaster general, which is transmitted, will furnish, in detail, the necessary information respecting the administration and present state of this department.

In conformity with a resolution of congress, of the last session, an invitation was given to General Lafayette to visit the United States, with an assurance that a ship of war, should attend at any port of France, which he might designate, to receive and convey him across the Atlantic, whenever it might be convenient for him to sail. He declined the offer of the public ship, from motives of delicacy, but assured me that he had long intended, and would certainly visit our Union, in the course of the present year. In August last, he arrived at New-York, where he was received with the warmth of affection and gratitude to which his very important and disinterested services and sacrifices, in our revolutionary struggle, so eminently entitled him.—A corresponding sentiment has since been manifested, in his favor, throughout every portion of our Union, and affectionate invitations have been given him to extend his visits to them. To these he has yielded all the accommodation in his power. At every designated point of rendezvous, the whole population of the neighboring country has been assembled to greet him, among whom it has excited

in a peculiar manner, the sensibility of all, to behold the surviving members of our revolutionary contest, civil and military, who had shared with him in his toils and dangers of the war, many of them in a decrepit state. A more interesting spectacle, it is believed, was never witnessed, because none could be founded on purer principles—none proceed from higher or more disinterested motives. That the feelings of those who had fought and bled with him in a common cause, should have been much excited, was natural. There, are however, circumstances attending these interviews, which pervaded the whole community, and touched the breast of every age, even the youngest among us. There was not an individual present who had not some relative who had partaken in those scenes, nor an infant who had not heard the relation of them. But the circumstance which was not sensibly felt, and which his presence brought forcibly to the recollection of all, was the great cause in which we were engaged, and the blessings, which we have derived from our success in it. The struggle was for independence and liberty, public and personal, and in this we succeeded. The meeting with one who had borne so distinguished a part in that great struggle, and from such lofty and disinterested motives, could not fail to affect profoundly, every individual, and of every age. It is natural that we should all take a deep interest in his future welfare, as we do. His high claims on our Union are felt, and the sentiment universal, that they should be met in a generous spirit. Under these impressions, I invite your attention to the subject, with a view that regarding his very important services, losses and sacrifices, a provision may be made, and tendered to him, which shall correspond with the sentiments, and be worthy the character, of the American people.

In turning our attention to the condition of the civilized world, in which the United States have always taken a deep interest, it is gratifying to see how large a portion of it is blessed with peace. The only wars which now exist within that limit, are those between Turkey and Greece, in Europe, and between Spain and the new government, our neighbors in this hemisphere. In both these wars the

cause of independence, of liberty, and of humanity, continues to prevail. The success of Greece, when the relative population of the contending parties is considered, commands our admiration and applause, and that it has had a similar effect with the neighboring powers, is obvious. The feeling of the whole civilized world is excited, in a high degree, in their favor. May we not hope that these sentiments, winning on the hearts of their respective governments, may lead to a more decisive result, that they may produce an accord among them, to replace Greece on the ground which she formerly held, and to which her heroic exertions, at this day, so eminently entitle her?

With respect to the contest, to which our neighbors are a party, it is evident that Spain, as a power, is scarcely felt in it. These new states had completely achieved their independence, before it was acknowledged by the United States, and they have since maintained it with little foreign pressure.—The disturbances which have appeared in certain portions of that vast territory have proceeded from internal causes which had their origin in their former governments, and have not yet been thoroughly removed It is manifest that these causes are daily loosing their effect, and that these new states are settling down under governments elective and representative, in every branch, similar to our own. In this course we ardently wish them to persevere under a firm conviction that it will promote their happiness. In this, their career, however, we have not interfered, believing that every people have a right to institute for themselves the government which in their judgment, may suit them best. Our example is before them, of the good effect of which, being our neighbors, they are competent judges, and to their judgment we leave it in the expectation that other powers will pursue the same policy.—The deep interest which we take in their independence, which we have acknowledged, and in their enjoyment of all the rights incident thereto, especially in the very important one of instituting their own governments, has been declared, and is known to the world. Separated, as we are from Europe by the great Atlantic Ocean, we can have no concern in the wars of the Euro-

pean governments, nor in the causes which produces them. The balance of power between them, into whichever scale it may turn, in its various vibrations, cannot affect us. It is the interest of the United States to preserve the most friendly relations with every power, and on conditions fair, equal and applicable to all. But in regard to our neighbors, our situation is different. It is impossible for the European governments to interfere in their concerns, especially in those alluded to, which are vital, without affecting us; indeed, the motive which might induce such interference in the present state of the war between the parties, if a war it may be called, would appear to be equally applicable to us. It is gratifying to know that some of the powers with whom we enjoy a very friendly intercourse, and whom these views have been communicated, have appeared to acquiesce in them.

The augmentation of our population, with the expansion of our Union, and increased number of States, have produced effects in certain branches of our system, which merit the attention of congress. Some of our arrangements, and particularly of the judiciary establishment, were made with a view to the original thirteen States only. Since then the United States have acquired a vast extent of territory; eleven new states have been admitted into the union, and territories have been laid off for three others, which will likewise be admitted at no distant day. An organization of the supreme court, which assigns to the judges any portion of the duties which belong to the inferior, requiring their passage over so vast a space, under any distribution of the states that may now be made, if not impracticable in the execution, must render it impossible for them to discharge the duties of either branch, with advantage to the union. The duties of the supreme court would be of great importance, if its decisions were confined to the ordinary limits of other tribunals; but when it is considered that this court decides, and in the last resort, on all the great questions, which arise under our constitution, involving those between the United States, individually, between the States, and the United States, and between the latter and foreign powers, too high an estimate of their

importance cannot be formed. The great interests of the nation seem to require that the judges of the supreme court should be exempted from every other duty than those which are incident to that high trust. The organization of the inferior courts would, of course, be adapted to circumstances. It is presumed that such an one might be formed as would secure an able and faithful discharge of their duties, and without any material augmentation of expense.

The condition of the Aboriginess within our limits, and especially those who are within the limits of any of the States, merits likewise particular attention. Experience has shown, that unless the tribes be civilized, they can never be incorporated into our system, in any form whatever. It has likewise shown, that in the regular augmentation of our population, with the extention of our settlements, their situation will become deplorable, if their extinction is not menaced. Some well digested plan, which will rescue them from such calamities is due to their rights, to the rights of humanity, and to the honor of the nation. Their civilization is indispensable to their safety, and this can be accomplished only by degrees.—The process must commence with the infant state through whom some effects may be wrought on the parental. Difficulties of the most serious character present themselves, to the attainment of this very desirable result, on the territory on which they now reside. To remove them from it by force, even with a view to their own security and happiness, would be revolving to humanity, and utterly unjustifiable. Between the limits of our present states and territories, and the Rocky mountains, and Mexico, there is a vast territory to which they might be invited, with inducements which might be successful. It is thought if that territory should be divided into districts, by previous agreement with the tribes now residing there, and civil governments be established in each, with schools for every branch of instruction in literature, and in the arts of civilized life, that all the tribes now within our limits might be gradually drawn there. The execution of this plan would necessarily be attended with expense, and that not inconsiderable, but it

is doubted whether any other can be devised which would be less liable to that objection, or more likely to succeed.

In looking to the interests which the United States have on the Pacific ocean, and on the Western coast of this continent, the propriety of establishing a military post at the mouth of Colombia river, or at some other point in that quarter, within our acknowledged limits is submitted to the consideration of congress. Our commerce and fisheries on that sea and along the coast, have much increased and are increasing. It is thought that a military post, to which our ships of war might resort, would afford protection to every interest, and have a tendency to conciliate the tribes to the north west, with whom our trade is extensive. It is thought also, that by the establishment of such a post, the intercourse between our western states and territories and the Pacific, and our trade with the tribes residing in the interior, on each side of the Rocky mountain, would be essentially promoted. To carry this object into effect, the appropriation of an adequate sum to authorise the employment of a frigate, with an officer of the corps of engineers, to explore the mouth of the Colombia river, and the coast contiguous thereto, to enable the executive to make such establishment at the most suitable point, is recommended to congress.

It is thought that attention is also due to the improvement of this city. The communication between the public buildings, and in various other parts and the grounds around those buildings, require it. It is presumed, also, that the completion of the canal from the Tiber to the eastern branch, would have a very salutary effect. Great exertions have been made and expenses incurred by the citizens, in improvement of various kinds, but those which are suggested, belong exclusively to the government, or are of a nature to require expenditures beyond their resources. The public lots which are still for sale would, it is not doubted, be more than adequate to these purposes.

From the view above presented, it is manifest, that the situation of the United States is, in the highest degree, prosperous and happy. There is no object which, as a people, we can desire, which we do not possess, or which is not

within our reach.—Blessed with governments, the happiest the world ever knew, with no distinct orders in society, or divided interests in the vast territory over which their dominion extends, we have every motive to cling together, which can animate a virtuous and enlightened people. The great object is to preserve those blessings, and hand them down to the latest posterity. Our experience ought to satisfy us, that our progress under the most correct and provident policy, will not be exempt from danger.

Our institutions form an important epoch in the history of the civilized world. On their preservation, and in their utmost purity, every thing will depend. Extending as our interest do, to every part of the inhabited globe, and to every sea, to which our citizens are carried by their industry and enterprise, to which they are invited by the wants of others, and have a right to go, we must either protect them, in the enjoyment of their rights, or abandon them, in certain events, to waste and desolation. Our attitude is highly interesting, as relates to other powers, and particularly to our southern neighbors. We have duties to perform, with respect to all, to which we must be faithful. To every kind of danger, we should pay the most vigilant and unceasing attention; remove the cause where it may be practicable, and be prepared to meet it when inevitable.

Against foreign danger, the policy of the government seems to be already settled. The events of the late war, admonished us to make our maritime frontier impregnable, by a well digested chain of fortifications, and to give efficient protection to our commerce, by augmenting our Navy to a certain extent; which has been steadily pursued, and which is incumbent upon us to complete, as soon as circumstances will permit. In the event of war, it is on the maritime frontier that we shall be assailed. It is in that quarter therefore, that we should be prepared to meet the attack. It is there that our whole force will be called into action, to prevent the destruction of our towns and the desolation and pillage of the interior. To give full effect to this policy, great improvements will be indispensible. Access to those works, by every practicable communication should be made easy, and in every direc-

tion. The intercourse, between every part of our union, should also be promoted, and facilitated by the exercise of those powers, which may comport with a faithful regard to the great principles of our constitution. With respect to internal causes, those great principles point out with equal certainty, the policy to be pursued. Resting on the people, as our governments do, state and national, with well defined powers, it is of the highest importance, that they severally, keep within the limits prescribed to them. Fulfiling that sacred duty, it is of equal importance, the movement between them be harmonious; and in case of any disagreement, should such occur, that a calm appeal be made to the people; and that their voice be heard and promptly obeyed. Both governments being instituted for the common good; they cannot fail to prosper, while those who made them, are attentive to the conduct of their representatives, and control their measures. In the pursuit of these great objects, let a generous spirit, and national views and feelings be indulged; and let every part recollect, that, by cherishing that spirit, and improving the condition of the others, in what relates to their welfare, the general interest will not only be promoted, but the local advantage reciprocated by all.

I cannot conclude this communication, the last of the kind which I shall have to make, without recollecting, with great sensibility and heartfelt gratitude, the many instances of the public confidence, and the generous support which I have received from my fellow citizens in the various trusts with which I have been honored. Having commenced my service in early youth, and continued it since with few and short intervals, I have witnessed the great difficulties to which our Union has been exposed, and admired the virtue and courage with which they were surmounted. From the present prosperous and happy state, I derive a gratification which I cannot express.—That these blessings may be preserved and perpetuated, will be the object of my fervent and unceasing prayers to the supreme ruler of the universe.

JAMES MONROE.

Washington, December 7, 1824

Biographical Sketch

OF

HENRY CLAY.

There is perhaps, no statesman of our times, on whom posterity will look with more regard, and more frequently hold out as a pattern of irreproachable integrity, splendid natural endowments, and eminent national value, than the subject of this sketch. His energy and eloquence have constituted him the Chatham of our legislative councils. Like that illustrious Briton, he is bold, prompt, and comprehensive, in the measures he recommends; no cold, timid, wavering, half-way policy, ever distracts his views, or compels him to hesitate in his conclusions. He at once sees clearly how far the just. and the generous part is compatible with the wise and the prudent; and with a boldness that has often surprised the dim-sighted, and the faint-hearted, he has persuaded the nation into the adoption of measures, that have preserved her peace at home, and procured for her the highest honor abroad. The settlement of the Missouri question, and the acknowledgment of South American Independence, are achievements which will render the name of Clay illustrious until the annals of his country be no more.

This eminent statesman is a native of the county of Hanover, in Virginia. His father, John Clay, was an eloquent and pious divine, of the baptist persuasion. Henry, his second son, was born in April, 1776, and was still very young, when the good clergyman died, leaving his family in rather circumscribed circumstances. His mother, therefore, could not afford to expend much on the education of her children. To early tuition in the schools, Henry is in

consequence, but little indebted. This circumstance has been more than once thrown up to him in congress, by men who gained nothing by such littleness of conduct, but contempt for their pedantry and ill breeding. The peevish Randolph recently received from Mr. Clay a retort for an allusion of this kind, little inferior in point of dignity and effect to that with which Mr. Pitt replied to sir Robert Wolpole's testy sarcasms on his youth. It is not to be supposed, however, but that a mind constituted like young Clay's, embraced every opportunity that offered, for the attainment of knowledge; and although the discipline of a regular scholastic education was not to be obtained, the want of it must have been amply atoned for, by the energy of voluntary application to the most useful branches of study.

At a very early age, we indeed find that Mr. Clay was qualified to perform the duties of a clerk in the Chancery office at Richmond. It was there that he attracted the attention of that eminent and benevolent lawyer, Chancellor Wythe, one of the signers of the declaration of independence. This venerable patriot no sooner perceived the fine genius and agreeable manners of young Clay, than he became his patron and instructor. With him, the poor orphan, who possessed no recommendation from either friends or fortune, found an assylum and a home. Under the auspices of this kind benefactor, Mr. Clay soon acquired a proficiency in the law, and in the autumn of 1797, he removed to Lexington, in Kentucky, where he engaged in the practice of his profession with such success, that he was next year induced to marry, and received the hand of a daughter of Colonel Hart, who had emigrated from near Hagerstown, in Maryland. His domestic attachments, however, did not in the least weaken either his strong sense of duty to his country, or that ardent love of liberty for which he has since been so distinguished; for in the same year that he married, he commenced that political career which he has ever since so unremittingly pursued, and which has conferred such signal benefits upon his country.

It was in that year (1798) that the memorable alien and sedition laws became the subject of so much contention throughout the union; and in none of the states was the

disputation more warmly maintained than in Kentucky. The friends of Mr. Adams' administration, made every exertion in that state, to put down the opposition that was there made to these laws, and having the influence of office on their side, they became so extremely formidable, that the celebrated George Nicholas, whose name will forever live in the annals of those times for his opposition, being charged by them with designing for office, and even with projecting a dissolution of the Union, was obliged, before he could obtain a patient hearing from the people, to declare solemnly that he would never accept of any office whatever.

In the midst of this angry and doubtful conflict Mr. Clay unhesitatingly threw himself into the ranks of the opposition, and, young as he was, he was soon able to produce the most powerful and fortunate effect. In his zeal for the popular rights, he sometimes addressed the crowd from a wagon, a scaffold, or in a cabin or a court house, just as opportunity presented. It was on these occasions that the dawn of his unrivalled eloquence was displayed. The people listened with delight to his speeches, and became speedily convinced of the unconstitutionally and pernicious tendency of the contested laws.

He became immediately a favorite with Nicholas, and also with Mr Breckenridge, (late attorney general, of the United States,) who were both much distinguished for their talents and devotion to the republican cause. Another great question, however, soon arose, which occasioned a disagreement between him and Mr. Nicholas.

The people of Kentucky, wishing to remodel their state constitution, appointed for that purpose a convention which met in July, 1799. Previous to the election of the delegates, it was known that the subject of negro emancipation would become a topic of discussion. The agitation, of the question, therefore, became general, and in many parts of the state violent. Some of the candidates declared for it, but a large majority were against it.—Mr. Nicholas, having precluded himself from office by the incident already mentioned, was not a candidate, but his friend, Mr. Breckenridge was. They were both averse to emancipation,

and Mr. Clay was in favor of adopting some measure which would procure its gradual accomplishment, which, he thought, might be safely effected in Kentucky. He urged, that the proportion of the black population to the white in that state, was not so great as to occasion any inconvenience if the gradual system were adopted; and maintained that it was the true policy of every state so circumstanced, to adopt that system which gave them the prospect of some time or orther getting rid of so serious an evil. He admitted that there were some states in the union whose situation would for ages to come; perhaps forever, forbid them to take such a step; but such, he insisted, was not the case with Kentucky. This occasioned Mr. Nicholas to contract a coolness for Mr. Clay, which only ended with his life.

A young man of such powers of mind, openness of sentiment, and firmness of resolution, could not be suffered to remain long in private life, and as soon as age rendered him eligible, he was elected to a seat in the state legislature, although he was, at the time, absent from the neighborhood. The elections in Kentucky continue open for three days. On the last day of the election he happened to return home, and received the first intimation of his being a candidate from some of the electors whom, as he approached the vicinity of Lexington, he met coming from the polls.

From this time, Mr. Clay continued to be a leading member of the house of representatives of Kentucky, until 1806, when he was elected to the senate of the United States, to serve the remainder of the term for which the present governor Adair, who had resigned, was elected. During that session no measure of much general importance was brought before the senate. Mr. Clay made his debut on the subject of the erection of the Potomac bridge, that extremely useful connexion between the different parts of the District of Columbia, and on the great highway leading from the northern to the southern parts of the union. He supported the bill for erecting this bridge; and in his speech manifested the great preponderance, which he has constantly permitted broad and national considerations to possess in his mind, over those of a private and

limited nature. It was this speech which induced Mr. Erskine, the British Minister, to say that Mr. Clay, in his person and manner of speaking, resembled the late William Pitt more than any person he had ever seen. The newspapers of the time were all liberal in their encomiums on the eloquence of the new senator. At this session Mr. Clay moved for the extension of the circuit court system of the United States, to the states of Tennessee, Kentucky, and Ohio, which measure was carried into effect.

The next season, Mr. Clay, again entered the legislature of Kentucky, of which he continued an active and efficient member, until the year 1809, when he was again transferred to the senate of the United States. During the second period of his services in the national senate, he greatly distinguished himself on two memorable questions. The first related to the occupation, by President Madison, of that part of Louisiana which lies between the Mississippi and the Perdido, and is usually called West Florida. His speech on this occasion was a triumphant vindication of Mr. Madison's conduct, and was generally admitted to display more research into the nature of our claim to the territory in question, and to afford stronger proofs of its validity, than that made by any other member.

The other question in the discussion of which Mr. Clay, at this time, took a leading part, was that relating to a renewal of the charter of the bank of the United States. In a speech which commanded great attention, he opposed the renewal. During this debate he exercised, with the happiest success, his talent for irony against Mr. Giles, who treated with disrespect the instructions he had received from the legislature of his state.

It is well known that Mr. Clay subsequently changed his opinion in regard to the constitutional power of congress to establish a bank. This is the only instance in which he has ever had occasion to change his first view of a political measure; for he has the happy faculty of at once seeing right from wrong so clearly and accurately, that mature reflection only serves to confirm his first impression. This change of sentiment, however, in respect to the constitutionality of the National Bank, is a proof

that he is neither bigoted nor dogmatical in respect to any opinion, and that, rather than persist in maintaining an error, after he has discovered it, he will readily submit to the charge of inconsistency, which he is well aware is a construction that there are too many in the world, willing enough to attach to the most pure and praiseworthy change of sentiment. Mr Clay's mind, however, is of too exalted an order to be prevented from following the path pointed out by his conscience, by the fear of exciting the clamor of the invidious or narrow-minded among men, and he is sure that none else will censure a change of opinion manifestly resulting from pure motives, and after mature reflection. When the present bank was created, Mr. Clay was in the speaker's chair, of which circumstance he might have availed himself, and by abstaining from taking a part in the discussion, he could have concealed the alteration that had taken place in his views on the subject. But to disguise his sentiments at any time, would not comport with his straight-forward honesty and independence of spirit; and on this occasion, he, therefore, boldly avowed them.

Mr. Clay first entered the house of representatives, on the 4th of November, 1811, and on the same day was elected speaker. In that station, it is believed, that no man ever acquitted himself with more firmness, dignity, and impartiality; and yet no man ever presided over a body more violently agitated by the dissensions of party, than the lower house of congress has frequently been since he has occupied the chair. During the first period of his presiding over its deliberations, preparations were made for the war which was declared in 1812. He was indefatigable in his exertions to maintain the cause of his country, and place it in a condition to meet the crisis.

No member among the many of high talents and distinction, whom that perilous period brought together in congress, was more active and distinguished, nay, we might with truth say, that none was so active, so eloquent and so efficient. Many of his speeches on the important topics then discussed, will never be forgotten while independence and liberty, and "free trade and sailor's rights" remain dear to the feelings of the nation.

The navy had been rendered unpopular by the extravagance with which Mr. Adams attempted to put it forward beyond the resources of the country, and also by the opposite system of imbecility afterwards adopted by Mr. Jefferson, and at no time perhaps was it more obnoxious, particularly in the western country, than at the breaking out of the war; yet Mr. Clay, seeing the necessity of its employment, hesitated not to risk his popularity at home, by advocating its cause with all his zeal and ability.

It was about the same period that the violence and intemperance of Mr. Quincy against the war and the administration, provoked from Mr Clay that celebrated indignant reply, which, for its just severity, the lofty tone of its sentiments, and the splendor of its eloquence, has perhaps never been surpassed in any deliberative assembly. A perusal of it, even at this period of calm, will not be destitute of interest. The contrast which he drew between Mr. Quincy and the other assailants of Mr. Jefferson, and that distinguished personage, has already become a fulfilled prediction. It is as follows:

"Next to the notice which the opposition has found itself called upon to bestow upon the French Emperor, a distinguished citizen of Virginia formerly President of the United States, has never for a moment, failed to receive their kindest and most respectful attention! An honorable gentleman from Massachusetts (Mr Quincy) of whom I am sorry to say, it becomes necessary for me, in the course of my remarks, to take some notice, has alluded to him in a remarkable manner. Neither his retirement from public office, his eminent services, nor his advanced age, can exempt this patriot from the coarse assaults of party malevolence. No sir; in the year 1801, he snatched from the rude hands of usurpation the violated constitution of his country, and this is his crime. He preserved that instrument in form, substance and spirit, a precious inheritance for generations to come, and for *this* he can never be forgiven. But how impotent is party rage directed against him! He is not more elevated by this lofty residence upon the summit of his own favorite mountain, than he is lifted, by the serenity of his mind, and the consciousness of a well

spent life, above the malignant passions and turmoils of the day:—no: his own beloved Montecello is not less moved by the storms that beat against its sides than he hears with composure, if he hears at all, the howlings of the whole British pack, set loose from the Essex kennel! When the gentleman to whom I have been compelled to allude, shall have mingled his dust with that of his abused ancestors; when he shall be consigned to oblivion, or if he lives at all, shall live only in the treasonable annals of a certain junto, the name of Jefferson will be hailed as the second founder of the liberties of this people, and the period of his administration will be looked back to as one of the *happiest* and brightest epochs in American history. I beg the gentleman's pardon, he has secured to himself a more imperishable fame. I think it was about this time four years ago, that the gentleman submitted to the House of Representatives an initiative proposition for an impeachment of Mr. Jefferson. The House condescended to consider it. The gentleman debated it with his usual *temper*, *moderation*, and *urbanity*. The House decided on it in the most solemn manner, and although the gentleman had some how obtained a second, the final vote stood, one for the proposition, 117 against it? The same historical page that transmitted to posterity the virtues and the glory of Henry the Great, of France, for their admiration and example, has preserved the infamous name of the fanatic assassin of that excellent monarch. The same sacred pen that portrayed the sufferings and the crucifixion of the Saviour of mankind, has recorded for universal execration the name of him who was guilty of, not betraying his country, (but of a kindred crime,) of betraying his God."

While Mr. Clay remained in the House of Representatives, he never ceased encouraging the disheartened, and contributing all in his power to a vigorous prosecution of the war. He declared in favor of the imposition of taxes for that object, immediately at its commencement, which would have averted many of the subsequent financial embarrassments; but he, Mr. Cheves, and their coadjutors, were overruled by the cautious policy of the cabinet.

Without solicitation, and, we believe, even without

zealous exertions; and in competition with which, personal considerations are with him as nothing.

Mr. Clay's personal appearance is much in his favour as a public speaker. He is about six feet high, straight, and although inclined to slenderness, yet of very pleasing proportions, his hair is light coloured; his forehead high and rather retiring. His eyes are blue, and slightly sunk in their sockets; his nose is somewhat prominent, and his mouth a little larger than usual. His cheek bones are high, and his cheeks thin; his face is therefore narrow, but of a good proportion in length. His countenance, taking altogether, strongly expresses energy, firmness, and intelligence; and his whole deportment, although dignified and commanding, is yet affable, agreeable and easy.

When he rises to speak, he generally stands erect; but as he advances with his subject, and becomes animated, which he soon does, his countenance brightens, his gestures becomes active and exceedingly impressive, evidently flowing naturally and spontaneously from the earnestness with which he urges his opinions, and therefore are always appropriate, and pleasing. Over his voice he has the most perfect command, being capable of modulating it to every degree of force and emphasis necessary to give effect to his language and sentiments.

We may sum up the character of this illustrious American, by saying, that as a patriot no man has ever evinced more sincerity; as a statesman, none more sagacity and promptitude; as a philanthropist, none has been more importantly active and useful; and as an orator, it would be difficult to find one in any country by whom soundness, brilliancy, and force, have been more happily united or more effectively displayed.

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